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भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित

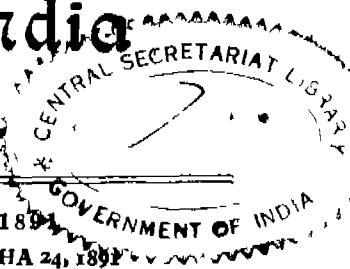
PUBLISHED BY AUTHORITY

सं० 24]

नई दिल्ली, शनिवार, जून 14, 1969/ज्येष्ठ 24, 1891

No. 24]

NEW DELHI, SATURDAY, JUNE 14, 1969/JYAISTHA 24, 1891



इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) कन्द्रीय प्राधिकरणों द्वारा जारी किये गए विधिक आदेश और अधिसूचनाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

CABINET SECRETARIAT

(Department of Statistics)

New Delhi, the 19th May 1969

S.O. 2250.—In pursuance of sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24, read with rule 34, of the Central Civil Services, (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the notification of the Government of India in the Cabinet Secretariat No S.R.O. 633, dated the 28th February, 1957 namely:—

In the Schedule to the said notification—

- (i) in the entries under "Part I—General Central Service, Class II", under the heading "Directorate of National Sample Survey", against the item "All gazetted post" in column 1 for the entry "Additional Secretary, Cabinet Secretariat, Department of Cabinet Affairs" occurring in columns 2 and 3, the entry "Secretary, Department of Statistics" shall be substituted; and
- (ii) in the entries under "Part II—General Central Service, Class III", under the heading "Directorate of National Sample Survey", against item (1) in column 1, for the entry "Additional Secretary, Cabinet

Secretariat, Department of Cabinet "Affairs" occurring in column 5, the entry "Secretary, Department of Statistics" shall be substituted.

[No. F. 3/17/69-Estt.II.]

K. P. GEETHAKRISHNAN, Dy. Secy.

मंत्रिमंडल सचिवालय

(सांख्यिकी विभाग)

नई दिल्ली, 19 मई 1969

सांख्यिक आदेश 2251.—नियम 9 के उप-नियम (2), नियम 12 के उप-नियम (2) के खंड (ख) तथा नियम 24 के उप-नियम (1) के अनुसार केन्द्रीय नागर सेवा (वर्गीकरण, नियंत्रण एवं अपील) नियम, 1965 को नियम 34 के साथ पढ़ें, राष्ट्रपति भारत सरकार, मंत्रिमंडल सचिवालय की अधिसूचना संख्या एस०आर०ओ० 633 दिनांक 28 फरवरी 1957 में आगे निम्नलिखित संशोधन करते हैं अर्थात्:—

उक्त अधिसूचना की अनुसूची में—

- (i) स्तंभ 1 में "समस्त राजपत्रित पद" विषय के सामने "राष्ट्रीय नमूना सर्वेक्षण निदेशालय" शीर्ष के अधीन "भाग I सामान्य केन्द्रीय सेवा, श्रेणी II" के अन्तर्गत की गई प्रविष्टियों में स्तंभ 2 और 3 में आने वाली "अपर सचिव, मंत्रिमंडल सचिवालय, मंत्रिमंडलीय कार्य विभाग" प्रविष्टि के लिये "सचिव, सांख्यिकी विभाग" प्रविष्टि प्रतिस्थापित की जायेगी; और
- (ii) स्तंभ 1 में विषय (i) के सामने "राष्ट्रीय नमूना सर्वेक्षण निदेशालय" शीर्ष के अधीन "भाग II सामान्य केन्द्रीय सेवा श्रेणी III" के अन्तर्गत की गई प्रविष्टियों में स्तंभ 5 में आने वाली प्रविष्टि "अपर सचिव, मंत्रिमंडल सचिवालय, मंत्रिमंडलीय कार्य विभाग" के लिए प्रविष्टि "सचिव, सांख्यिकी विभाग" प्रतिस्थापित की जायेगी।

[सं० एक० 3/17/69-सिब्बंदी II.]

के० पी० गीता कृष्णन्, उप-सचिव।

ELECTION COMMISSION OF INDIA

New Delhi, the 31st May 1969

S.O. 2252.—In exercise of the powers conferred by sub-section (1) of section 22 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby cancels its notification No. 434/GJ/69, dated the 3rd March, 1969.

[No. 434/GJ/69.]

By Order,

K. S. RAJAGOPALAN,

Secy. to the Election Commission of India.

भारत निर्वाचन आयोग

नई दिल्ली, 31 मई 1969

एस० ओ० 2253.—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 22 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत निर्वाचन आयोग अपनी अधिमूचना संख्या 434/गुज०/69, तारीख 3 मार्च, 1969 को एतद्वारा रद्द करता है।

[सं० 434/गुज०/69]

आदेश से,

के० एस० राजगोपालन, सचिव भारत निर्वाचन आयोग।

MINISTRY OF INFORMATION AND BROADCASTING**ORDER***New Delhi, the 2nd June 1969*

S. O. 2254.—In pursuance of the directions issued under the provision of each of the enactments specified in the First Schedule annexed hereto, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in Gujarati to be of the description specified against it in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

- (1) Sub-Section 4 of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act 1953 (Bombay Act XVII of 1953).
- (3) Sub-Section (4) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

THE SECOND SCHEDULE

S. ⁿ No.	Title of the film	Length 35 mm	Name of the applicant	Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news & current events or a documentary film.
(1)	(2)	(3)	(4)	(5)	(6)
1	Sahayak Udyogo	304.60M	Director of Information Government of Gujarat, Ahmedabad.		Film intended for educational purposes (For release in Gujarat Circuit only).

सूचना और प्रसारण मंत्रालय

आदेश

नई दिल्ली, 2 जून 1969

एस० ओ० 2255.—इसके साथ लगी प्रथम अनुसूची में निर्धारित प्रत्येक अधिनियम के उपबन्ध के अन्तर्गत जारी किये गये निदेशों के अनुसार, केन्द्रीय सरकार, फिल्म सलाहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद, एतद्वारा, इसके साथ लगी द्वितीय अनुसूची के कालम 2 में दी गई फिल्म को उसके गुजराती भाषा के रूपांतर सहित, जिसका विवरण उसके सामने उक्त द्वितीय अनुसूची के कालम 6 में दिया हुआ है, स्वीकृत करनी है :—

प्रथम अनुसूची

- (1) चलचित्र अधिनियम, 1952 (1952 का 37वां केन्द्रीय अधिनियम) की धारा 12 की उप-धारा (4) तथा धारा 16।
- (2) बम्बई सिनेमा (विनियम) अधिनियम 1953 (1953 का 17वां बम्बई अधिनियम) की धारा 5 की उपधारा (3) तथा धारा 9।
- (3) सौराष्ट्र सिनेमा (विनियम) अधिनियम 1953 (1953 का 17वां सौराष्ट्र अधिनियम) की धारा 5 की उपधारा (4) तथा धारा 9।

द्वितीय अनुसूची

म संख्या	फिल्म का नाम	लम्बाई 35 मि० मी०	आवेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा संबंधी फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या डाकुमैन्ट्री फिल्म है।
1	2	3	4	5	6
1	सहायक उद्योग	304' 60 मीटर	सूचना निदेशक, सरकार, अहमदाबाद।	गुजरात	शिक्षा संबंधी फिल्म (केवल गुजरात सर्किट के लिये)।

[संख्या फ० 24/1/69-एफ० पी० परिशिष्ट 1359.]

बानू राम अग्रवाल,
अवर सचिव, भारत सरकार।

MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS**(Department of Petroleum)***New Delhi, the 5th June 1969*

S.O. 2256.—Whereas it appears to the Central Government that it is necessary in the public interest that for transport of Petroleum from the drill sites well No. K-62 to Well No. K-29 in the Kalol Oil Field, in Gujarat State, Pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the Schedule annexed thereto;

2. Now, therefore, in exercise of the powers conferred by Sub-Section (i) of the Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, at Western Region, Shed No. 27, Makarpura Road, Near Central Workshop, Baroda-4 in the Office of the C. and M. Division (Oil and Natural Gas Commission), Baroda. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE*For Laying Pipe line from K-62 to K-29 (Main Collector Line)*

State : Gujarat		Dist. Mchhana		Taluka : Kalol	
Village	S.No.	Hectare	Are.	P.Are.	
Vadavswami	299	0	3	72	
	298	0	11	48	
	300	0	10	18	
	306	0	1	50	
	303	0	7	10	
	302	0	5	81	
Pansar	1613	0	14	80	
	1612	0	8	34	
	1620/10	0	7	34	
	1620/3	0	5	33	
	1620/9	0	0	50	
	1620/2	0	1	00	
	1620/28 & P.K. Road	0	1	96	
	1619/1	0	22	52	
	1619/2	0	5	20	
	1618	0	2	64	

[No. 29/5/68-10C/LAB.]

M. V. S. PRASADA RAU, Under Secy.

MINISTRY OF HEALTH & FAMILY PLANNING & W.H. & U.D.**(Department of Health)***New Delhi, the 3rd June 1969*

S.O. 2257.—The following draft of certain rules further to amend the Drugs and Cosmetics Rules, 1945, which the Central Government proposes to make, after consultation with the Drugs Technical Advisory Board, in exercise of the powers conferred by sections 12 and 33 of the Drugs and Cosmetics Act, 1940 (23 of 1940), is published, as required by the said sections for the information of all

persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 31st August, 1969.

2. Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government:—

Draft Rules

1. These rules may be called the Drugs and Cosmetics (Amendment) Rules, 1969.

2. In the Drugs and Cosmetics Rules, 1945 (hereinafter referred in as the said rules), for the proviso to sub-rule (3) of rule 59 the following shall be substituted, namely:—

“Provided that if the applicant applies for the renewal of a licence after its expiry but within six months of such expiry the fee payable for renewal of such licence shall be rupees twenty plus an additional fee at the rate of rupees twenty per month or part thereof, and in the case of itinerant vendor or an applicant desiring to open a shop in village or town having a population of 5,000 or less the fee shall be rupees five plus an additional fee, at the rate of rupees five per month or part thereof.”

3. For the proviso to rule 63 of the said rules, the following shall be substituted, namely:—

“Provided that if the application for renewal of licence in force is made before its expiry, or if the application is made within six months of its expiry, after payment of additional fee, the licence shall continue to be in force until orders are passed on the application. The licence shall be deemed to have expired if application for its renewal is not made within six months after its expiry.”

4. For the proviso to rule 67-A(2) of the said rules, the following shall be substituted, namely:—

“Provided that if the applicant applies for renewal of licence after its expiry but within six months of such expiry the fee payable for renewal of such licence shall be rupees five plus an additional fee, at the rate of rupees five per month or part thereof.”

5. For the proviso to rule 67-E of the said rules, the following shall be substituted, namely:—

“Provided that if the application for renewal of a licence in force is made before its expiry or if the application is made within six months of its expiry, after payment of additional fee, the licence shall continue to be in force until orders are passed on the application. The licence shall be deemed to have expired if application for its renewal is not made within six months after its expiry.”

6. For sub-rule (3) of rule 69 of the said rules, the following shall be substituted, namely:—

“(3) If a person applies for the renewal of a licence after its expiry but within six months of such expiry, the fee payable for the renewal of such licence shall be in the case of Form 24-B, rupees forty plus an additional fee at the rate of rupees twenty per month or part thereof in addition to the inspection fee and, in the case of Form 24, rupees two hundred plus an additional fee at the rate of rupees one hundred per month or part thereof in addition to the inspection fee.”

7. In sub-rule (1) of rule 69-A of the said rules, before the “Explanation”, the following proviso shall be inserted, namely:—

“Provided that if the applicant applies for the renewal of a licence after its expiry but within six months of such expiry the fee payable for renewal of such licence shall be rupees one hundred plus an additional fee at the rate of rupees fifty per month or part thereof.”

8. For the proviso to rule 72 of the said rules, the following shall be substituted, namely:—

“Provided that if the application for the renewal of a licence is made before its expiry, or if the application is made within six months of its expiry, after payment of additional fee, the licence shall continue to be in force until orders are passed on the application. The licence shall be deemed to have expired if the application for its renewal is not made within six months of its expiry.”

9. For the proviso to rule 73-AA of the said rules, the following shall be substituted, namely:—

“Provided that if the application for the renewal of a licence is made before its expiry, or if the application is made within six months of its expiry, after payment of the additional fee, the licence shall continue to be in force until orders are passed on the application. The licence shall be deemed to have expired if the application for its renewal is not made within six months of its expiry.”

10. For proviso to rule 75 of the said Rules, the following shall be substituted, namely:—

“Provided that if the applicant applies for the renewal of a licence after its expiry but within six months of such expiry the fee payable for renewal of the licence shall be rupees three hundred plus an additional fee at the rate of rupees two hundred per month in addition to the inspection fee.”

11. In sub-rule (1) of rule 75-A of the said rules, before the “Explanation”, the following proviso shall be inserted, namely:—

“Provided that if the applicant applies for the renewal of a licence after its expiry but within six months of such expiry the fee payable for renewal of the licence shall be rupees three hundred plus an additional fee at the rate of rupees two hundred per month or a part thereof.”

12. For the proviso to rule 77 of the said rules, the following shall be substituted, namely:—

“Provided that if the application for the renewal of a licence is made before its expiry, or if the application is made within six months of its expiry after payment of additional fee, the licence shall continue to be in force until orders are passed on the application. The licence shall be deemed to have expired if the application for its renewal is not made within six months for its expiry.”

13. For the proviso to rule 83-AA of the said rules, the following shall be substituted, namely:—

“Provided that if the application for the renewal of a licence is made before its expiry, or if the application is made within six months of its expiry after payment of the additional fee, the licence shall continue to be in force until orders are passed on the application. The licence shall be deemed to have expired if the application for its renewal is not made within six months of its expiry.”

14. For sub-rule (3) of rule 85-B of the said rules, the following shall be substituted, namely:—

“(3) If a person applies for renewal of a licence after its expiry but within six months of such expiry, the fee payable for the renewal of such a licence shall be:—

- (i) rupees forty plus an additional fee at the rate of rupees twenty per month or part thereof for the manufacture of Homoeopathic mother tinctures and potentised preparations; and
- (ii) rupees twenty plus an additional fee at the rate of rupees ten per month or part thereof for the manufacture of potentised preparations only.

15. For the proviso to rule 85-E of the said rules, the following shall be substituted, namely:—

“Provided that if the application is made within six months of its expiry, or if the application is made within six months of its expiry, after payment of additional fee, the licence shall continue to be in force until orders are passed on the application. The licence shall be deemed to have expired if application for its renewal is not made within six months of its expiry.”

16. For sub-rule (2) of rule 138 of the said rules, the following shall be substituted, namely:—

“(2) If a person applies for the renewal of a licence after its expiry but within six months of such expiry, the fee payable for the renewal of such licence

shall be rupees two hundred plus an additional fee at the rate of rupees one hundred per month or a part thereof."

17. For the proviso to rule 140 of the said rules, the following shall be substituted, namely:—

"Provided that if the application for renewal of a licence in force is made before its expiry or if the application is made within six months of its expiry, after payment of additional fee, the licence shall continue to be in force until orders are passed on the application. The licence shall be deemed to have expired if application for its renewal is not made within six months of its expiry."

[No. F. 1-46/68-D.]

L. K. MURTHY, Under Secy.

संचार विभाग

नई दिल्ली 10 मार्च, 1969

एस० नो० 2258.—केन्द्रीय सिविल सेवा (अस्थायी सेवा) नियम, 1965 के नियम 5 के उप-नियम (2) के खंड (क) के उपबन्धों केअनुसरण में केन्द्रीय सरकार, नीचे की सारणी में, स्तम्भ 1 में वर्णित प्राधिकारी को उस प्राधिकारी के रूप में एतद् द्वारा विनिर्दिष्ट करती है जो उक्त उपनियम द्वारा प्रदत्त शक्तियों का प्रयोग उस विस्तार तक कर सकेगा जो उक्त सारणी में, स्तम्भ 2 में उसके सामने उपदर्शित हैं, अर्थात्—

सारणी

प्राधिकारी का नाम	शक्तियों का विस्तार
1	2
विदेश संचार सेवा महानिदेशक	उसके अधीनस्थ किसी समुचित प्राधिकारी द्वारा विदेश संचार सेवा के किसी अस्थायी सरकारी सेवक के विरुद्ध नियम 5 के उपनियम (1) के अधीन पारित आदेशों की बाबत ।

2. यह अधिसूचना अक्तूबर, 1968 के 19वें दिन को प्रवृत्त हुई समजी जाएगी ।

[स० 3-प्रो० सी० (46)/68.]

सुजान सिंह प्रुथी, अवर सचिव ।

MINISTRY OF COMMERCE**ORDER****(Office of the Jt. Chief Controller of Imports and Exports)***Bombay, the 12th March 1969*

SUBJECT:—Order for cancellation of Custom Purposes and Exchange Control Purposes Copies of Licence No. P/SS/1557617, dated 14th February, 1967, for Rs. 42,000/- issued in favour of M/s. Meerut Hosiery Factory.

S.O. 2259.—M/s. Meerut Hosiery Factory, Meerut were granted an import Licence (both copies) No. P/SS/1557617, dated 14th February, 1967, for Rs. 42,000/- for import of items shown on the reverse of this order for the licensing period A.M. 67 from G.C.A. they have applied for duplicates of the Customs Purposes and Exchange Control Purposes Copies of the said licence on the ground that the original Customs and Exchange Control purposes copies of the licence have been lost or misplaced. It is further stated that the original licence was not registered with the Bombay Customs House and was not utilised.

In support of this contention, the applicants have filed an affidavit on stamped paper duly attested before the Judicial Magistrate I Class, Meerut. I am satisfied that the Original Licence No. P/SS/1557617, dated 14th February, 1967 (both copies, have been lost or misplaced and have directed that duplicates of the Customs and Exchange Control Purposes Copies of the Licence should be issued to the applicants. The original Customs and Exchange Control Copies of the Licence P/SS/1557617, dated 14th February, 1967 are hereby cancelled.

[No. 5.]

[No. F. NCG/M.16/AM87/AU 2.]

SMT. M.D'COSTA,

Dy. Chief Controller of Import and Export.
For Jt. Chief Controller of Imports and Exports.

MINISTRY OF SHIPPING AND TRANSPORT*New Delhi, the 5th June 1969*

S.O. 2260.—In exercise of the powers conferred by sub-section (2) of section 8 of the Jayanti Shipping Company (Taking over of Management) Act, 1966 (24 of 1966), the Central Government hereby specifies the following exceptions subject to which the Companies Act, 1956 (1 of 1956), shall apply to the Jayanti Shipping Company Limited, namely:—

Sections 159, 161, 166, 210, sub-section (1) of section 219 and section 220 shall not apply.

Sub-section (2) of section 227 shall apply subject to the modifications, that—

(i) for the words "the members of the Company", the words, brackets and figures "the Board of Control appointed under the Jayanti Shipping Company (Taking over of Management) Act, 1966" shall be substituted;

(ii) the words "which are laid before the company in general meeting during his tenure of office" shall be omitted.

2. This notification shall remain in force for a period of five years from the 10th day of June, 1966.

[No. 32-MD(7)/68.]

JASWANT SINGH, Under Secy.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION**(Department of Labour and Employment)***New Delhi the 31st May 1969*

S.O. 2261.—In exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government having re-

gard to the location of the factories mentioned in the Schedule below in sparse areas in the State of Orissa, hereby exempts them from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a period of one year from the date of issue of this notification or until the enforcement of the provisions of Chapter V of that Act in those areas, whichever is earlier.

SCHEDULE

S. No.	Name of District	Name of Area	Name of the Factory
1	2	3	4
1	Ganjam	Gosaninuagaon Khallikote	M/s. Bijoya Saw Mills. The Kallikote Co-op. Wood Works.
2	Keonjhar	Balparbat	The Orissa State Commercial Transport Corporation Work- shop.
3	Koraput	Chitrakunda	Saw Mill under Orissa Forest Corporation Ltd.
4	Mayurbhang	Baripada	The Regional Co-op. Marketing Society Ltd.
5	Puri	Satsankba	1. The Orissa Fibre. 2. The Indian Latex Fibre Cor- poration
6	Sambalpur	Banaigarh	Banaigarh Industrial Co-op. Society Ltd.
		Remed Karm Road	M/s. NandasReel Industries. M/s. Samaleswai Saw Mill.

[No. F. 6 (12)/68-HI].

S.O. 2262.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories mentioned in the Schedule below in sparse areas in the State of Bihar, hereby exempts them from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a period of one year from the date of issue of this notification or until the enforcement of the provisions of Chapter V of that Act in those areas, whichever is earlier.

SCHEDULE

S. No.	Name of District	Name of Area	Name of the Factory
(1)	(2)	(3)	(4)
1	Bhagalpur	Brahajama	M/s. Ajanta Stone Works at Barahgana, Amarpur, Bhagalpur.
		Sultanganj	M/s. Bihar Khadi Gramodyog Sangh, Saranjan Karayalaya.

(1)	(2)	(3)	(4)
2	Champan	Saganli	M/s. Bajrang Saw Mills, P. O. Vagauli.
3	Dhanbad	Govindpur	M/s. Laxmi Steel Industries, P. O. Govindpur.
		Mohuda	M/s. Bihar Cement Products.
4	Hazaribagh	Hirodih	M/s. Gayday Iron & Steel Co. Ltd. P. O. Hirodih.
		Bokaro Steel city	M/s. Narla Ram & Co. Ltd., Western Avenue, Harla Road.
5	Monghyr	Sheikhpura	M/s. Chandi Birdaban Stone Works, Station Road.
6	Patna	Bikram	M/s. Foot Wear Factory, P. O. Bikram.
		Bihar Sharif	M/s. Vivich Engg. Works.
7	Shahabad	Mohania	M/s. Agarwal & Co.
		Dumraon	M/s. Dumraon Textiles Ltd., P. O. Dumraon.

No. F. 6 (26)/68-HI.

S.O. 2263.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories mentioned in column (4) of the Schedule below, in sparse areas in the State of Mysore and specified in the corresponding entries in column (3) of the said Schedule, hereby exempts the said factories from payment of the employer's special contribution leviable under Chapter VA of the said Act for a period of one year from the date of publication of the notification or until the enforcement of the provisions of Chapter V of that Act in those areas, whichever is earlier.

SCHEDULE

S. No.	Name of District	Name of area	Name of the Factory
(1)	(2)	(3)	(4)
1	Bangalore	Kumbalagodu	Associated Drug Co. Ltd., Chemical Division.
		Konanakunte	Best & Co. Ltd., 7th Mile, Kanakapura Road.
		Hoskote	R.C.C. Poles Manufacturing Centre, Mysore State Electricity Board.
2	Bellary	Paradavanahalli	Bellary Water Works, Via maka Post.
3	Dharwar	Ron	Mysore State Road Transport Corporation, Depot Workshop.
		Hirekerur	Power House, Mysore State Electricity Board.
		Shirahatti	Power House, Mysore State Electricity Board.

(1)	(2)	(3)	(4)
4	Hassan	Arsiker	Karnataka Cori Products, B.H. Road.
5	Kolar	Koler	R.C.C. Poles Manufacturing Centre, Mysore State Electricity Board.
6	Mysore	Yelwala	Shanker Match Industries.
7	Mandya	Pandavapura	The Pandavapura Taluk Agr. Productivity Co-op. Marketing Societies.
8	South Kanara	Suratkal	Seven Seas Fisheries, Hospet village.
		Gangolli	Vinayak Saw Mills.
		Kallianpur	Bharat Tile Co., Shiralli, Puttur P.O.
		Karkala	Sri Bhavanti Wood Works.
9	Shimoga	Hulikal	Ambika Tile Works, Hosnagag Tk.
		Shimoga	National Education Society Village Industry, Balrajura Road.

[No. F.6/13/68-HI.]

S.O. 2264.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories mentioned in the Schedule below in sparse areas in the State of Andhra Pradesh, hereby exempts the said factories from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a period of one year from the date of issue of this notification or until the enforcement of the provisions of Chapter V of that Act in those areas, whichever is earlier.

SCHEDULE

S. No.	Name of District	Name of Area	Name of the Factory
(1)	(2)	(3)	(4)
1	East Godavari	Mallisla	M/s. Sri Mohana Krishna Kovdal-araya Sago and Starch Manufacturing works.
2	Hyderabad	Annajiguda	M/s. Syndicate Steel Re-rolling Mills(P) Ltd.
3	Khammam	Khammam	M/s. Andhra Pradesh State Road Transport Corporation Depot.
4	West Godavari	Dwarka Tirumala	M/s. The Andhra Pradesh Mining Corporation Ltd. (The Clay Levigation Plant, Srivenkateswara Clay Washing Plant).
		Nidadavolu	(i) M/s. Sri Veerabhadra Iron Foundry.
			(ii) M/s. Krishna Industrial Corporation Ltd., Fertilisers Division.

[No. F. 6/19/69-II.]

S.O. 2265.—Whereas the Central Government was satisfied that:—

- (1) Testeels Limited;
- (2) Arunodaya Quarry Works;
- (3) Manhar Chandulal Shah & Bros.;
- (4) Dindayal Metal Quarry;
- (5) Divyesh Quarry Works;
- (6) Ambika Quarry Works;
- (7) Shree Ranchhodrai Quarry Works were situated in Dehgam and Halol areas which were sparse areas (that is, areas whose insurable population was less than 500) in the district of Ahmedabad and Panchmahals in the State of Gujarat;

And, whereas by virtue of their location in the sparse areas the aforesaid factories were granted exemption from the payment of the employers' special contribution under section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948) until enforcement of the provisions of Chapter V of the Act in those areas by the Central Government in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 2849, dated the 30th September, 1963;

And, whereas the Central Government is satisfied that the insurable population of the Dehgam and Halol areas in the districts of Ahmedabad and Panchmahals in the State of Gujarat has now exceeded 500, and these are no longer sparse areas;

Now, therefore, in exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendments in the said notification, namely:—

In the Schedule to the said notification,—

- (1) in Serial No. 1 relating to the district of Ahmedabad, the entry "Dehgam" in column 3 and the corresponding entry in column 4, shall be omitted;
- (2) in Serial No. 11 relating to the district of Panchmahals, the entry "Halol" in column 3 and the corresponding entries in column 4 shall be omitted.

[No. F. 6/34/68/HI.]

S.O. 2266.—Whereas the Central Government was satisfied that (1) S.T. Depot, Workshop, (2) Shri Gujarat Oil Mill and Ginning Factory, (3) S.T. Depot, Workshop, (4) S.T. Depot, (5) National Thread Works, (6) Shri Sarvodaya Quarry Works, (7) Shri Bharat Metal Quarry Works, (8) Messrs Mahakali Quarry Works, (9) Atul Engineering Quarry Works and (10) C.C. Patel Quarry Works, were situated in Dehgam, Mehsana and Halol areas which were sparse areas (that is, areas whose insurable population was less than 500) in the districts of Ahmedabad, Mehsana and Panchmahals in the State of Gujarat;

And, whereas by virtue of their location in the sparse areas, the aforesaid factories were granted exemption from the payment of the employers' special contribution under section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948) until enforcement of the provisions of Chapter V of the Act in those areas by the Central Government in the notification of the Government of India in the late Ministry of Labour and Employment S.O. 137, dated the 9th January, 1962;

And, whereas the Central Government is satisfied that the insurable population of the Behgam, Mehsana and Halol areas in the districts of Ahmedabad, Mehsana and Panchmahals in the State of Gujarat has now exceeded 500, and these are no longer sparse areas;

Now, therefore, in exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendments in the said notification, namely:—

In the Schedule to the said notification,—

- (1) in serial No. 1 relating to the district of Ahmedabad, the entry "Dehgam" in column 3 and the corresponding entries in column 4 shall be omitted;

- (2) in serial No. 12 relating to the district of Mehsana, the entry "Mehsana" in column 3 and the corresponding entries in column 4 shall be omitted;
- (3) in serial No. 13 relating to the district of Panchmahals, the entry "Halol" in column 3 and the corresponding entries in column 4 shall be omitted.

[No. F. 6/34/68-III.]

S.O. 2267.—Whereas the Central Government was satisfied that:—

- (1) M/s. Baroda Box Manufacturing Company;
- (2) M/s. Baroda Board Mills;
- (3) M/s. Bharat Casement (Private) Limited;
- (4) M/s. Ideal Structure (Private) Limited;
- (5) Mehsana District Cooperative Milk Product Unit Limited;
- (6) M/s. Narayan Metal Quarry;
- (7) M/s. Kamal Metal Quarry;
- (8) M/s. Janta Metal Quarry;
- (9) M/s. Adrash Metal Quarry.

were situated in Bhaili, Mehsana and Halol areas which were sparse areas (that is, areas whose insurable population was less than 500) in the districts of Baroda, Mehsana and Panchmahals in the State of Gujarat;

And, whereas by virtue of their location in the sparse areas, the aforesaid factories were granted exemption from the payment of the employers' special contribution under section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), until enforcement of the provisions of Chapter V of the Act in that area by the Central Government in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O., 885, dated the 8th March, 1967;

And, whereas the Central Government is satisfied that the insurable population of the Bhaili, Mehsana and Halol areas in the districts of Baroda, Mehsana and Panchmahals in the State of Gujarat has now exceeded 500, and these are no longer sparse areas;

Now, therefore, in exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the said notification, namely:—

In the Schedule to the said notification, Serial Nos. 1, 8 and 13 relating to the districts of Baroda, Mehsana and Panchmahals respectively and the corresponding entries in columns 3 and 4 shall be omitted.

[No. F. 6/34/68/HI.]

S.O. 2268.—In pursuance of clause (c) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri R. C. Bhandari as a member of the Regional Committee for the State of Madhya Pradesh, and makes the following amendment in the notification of the Government of India in the late Department of Social Security No. S.O. 433 dated the 23rd January, 1965, namely:—

In the said notification, for item 5, the following item shall be substituted, namely:—

"5. Shri R. C. Bhandari, C/O M.P. Textile Mills Association, 8. South Tukoganj, St. No. 1, Indore-1."

[No. 12(1)64-PF.II.]

श्रम, रोजगार और पुनर्वास मंत्रालय

(श्रम और रोजगार विभाग)

नई दिल्ली, 31 मई 1969

का० प्रा० 2269.—कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 4 के उप-पैरा (1) के खंड (ग) के अनुसरण म केन्द्रीय सरकार, मध्य प्रदेश राज्य की प्रादेशिक समिति के सदस्य के रूप में श्री आर०

सी० भंडारी को एतद्वारा नियुक्त करती है और भारत सरकार के भूतपूर्व समाज सुरक्षा विभाग की अधिसूचना सं० का० 433, तारीख 23 जनवरी, 1965 में निम्नलिखित संशोधन करती है अर्थात्—
उक्त अधिसूचना में मद 5 के लिए, निम्नलिखित मद प्रतिस्थापित की जाएगी, अर्थात्—

"5. श्री आर० सी० भण्डारी,
द्वारा एम० पी० टैक्सटाइल मिल्स एसोसिएशन,
8 साउथ तुकोगंज, स्ट्रीट नं० 1,
इंदौर-1"

[सं० 12(1)/64-अ०नि०-2.]

S.O. 2270.—In pursuance of clause (d) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri Satyapal Mishra as a member of the Regional Committee for the State of Bihar and makes the following further amendment in the notification of the Government of India in the late Ministry of Labour No. S.R.O. 1380 dated the 4th July, 1953, namely:—

In the said notification, for the entry in the second column against serial number 7, the following entry shall be substituted, namely:—

"Shri Satyapal Mishra, Assistant Secretary, Bihar Indian National Trade Union Congress, LF-12, Block 2, Boring Road, Shreekrishnapuri, Patna-13."

[No. 12(7)/64-PF.II.]

बा० प्रा० 2271.—कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 4 के उपपैरा (1) के खण्ड (घ) के अनुसरण में केन्द्रीय सरकार श्री सत्यपाल मिश्र को एतद्वारा बिहार राज्य के लिए प्रादेशिक समिति का सदस्य नियुक्त करती है और भारत सरकार के भूतपूर्व श्रम मंत्रालय की अधिसूचना सं० का० नि० प्रा० 1380, तारीख 4 जुलाई, 1953, में निम्नलिखित अतिरिक्त संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में क्रमसंख्या 7 के सामने, दूसरे स्तंभ की प्रविष्टि के लिए, निम्नलिखित प्रविष्टि प्रतिस्थापित की जाएगी, अर्थात्:—

"श्री सत्यपाल मिश्र
सहायक सचिव,
बिहार भारतीय राष्ट्रीय ट्रेड यूनियन कांग्रेस,
एल० एफ० 12, ब्लॉक 2, बोरिंग रोड,
श्रीकृष्णपुरी, पटना-13 ।"

[सं० 12(7) 64-पा० एफ० 2.]

New Delhi, the 2nd June 1969

S.O. 2272.—Whereas the State Government of Rajasthan has in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), nominated Shri N. K. Joshi, Labour Commissioner and Deputy Secretary to the Government of Rajasthan, Labour Department, to represent that State on the Employees' State Insurance Corporation in place of Dr. S. C. Mehta.

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2551 dated the 9th August, 1966, namely:

In the said notification, under the heading "(Nominated by the State Governments under clause (d) of section 4)", for the entry against item 19, the following entry shall be substituted, namely:—

"Shri N. K. Joshi, Labour Commissioner and Deputy Secretary to the Government of Rajasthan, Labour Department, Jaipur."

[No 3(2)/69-HI.]

S.O. 2273.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bharani Agencies; 18C, Lake View Road, Calcutta-29 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 28th February, 1969.

[No. 8/12/69-PF.II(1).]

नई दिल्ली, 2 जन 1969

का० आ० 2274.—यतः केन्द्रीय सरकार को यह प्रनीत होता है कि मैसर्स भरानी एजेन्सीज, 18-सी लेक व्यू रोड, कलकत्ता-29 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए :

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा 28 फरवरी, 1969 से लागू करती है ।

[सं० 8/12/69/भ० नि० 11 (1).]

S.O. 2275.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies that, with effect from the 28th February, 1969 section 6 of the said Act shall in its application to M/s. Bharani Agencies, 18C, Lake View Road, Calcutta-29 be subject to the modification that for the words "six and a quarter per cent" the words "eight per cent" were substituted.

[No. 8/12/69-PF.II(11).]

का० आ० 2276.—कर्मचारी भविष्य निधि, अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत् शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्वारा यह विनिर्दिष्ट करती है कि उक्त अधिनियम की धारा 6, मैसर्स भरानी एजेन्सी, 18-सी, लेक व्यू रोड, कलकत्ता-29 की 28 फरवरी, 1969 से लागू होने के संबंध में इस उपान्तरण के अध्वधीन होगी कि "सवा छह प्रतिशत" शब्दों के लिए "आठ प्रतिशत" शब्द प्रतिस्थापित किए जाएं ।

[सं० 8/12/69-भ० नि० 2 (11).]

S.O. 2277.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bliss Produce Company, 129/131, Kazi Syed Market, Mandavi, Bombay-3 and representative office C/O S. V. Nayak, Post Box No. 46, Quilon, Kerala State have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said Establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This Notification shall be deemed to have come into force on the thirtieth day of April, 1967.

[No. 8/113/68-PF.II.]

का० आ० 2278.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स ज़िलस प्रोड्यूस कम्पनी, 129/131, काजी सैयद माहॉद, मांडवी, मुम्बई-2 और प्रतिनिधि-कार्यालय द्वारा एस० बी० नायक, पोस्ट बाक्स नं० 46, किलोन, केरल राज्य, नामक स्थापन में सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः, अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1967 की अप्रैल के तीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं० 8/113/68 भा० नि०-2]

New Delhi, the 3rd June 1969

S.O. 2279.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies that with effect from the 1st July, 1968 section 6 of the said Act shall in its application to Messrs. Devidayal Metal Industries Private Limited, Gupta Mills Estate, Reay Road, Bombay-10 be subject to the modification that for the words "six and a quarter per cent", the words "eight per cent" were substituted.

[No. 8/84/69-PF.II(ii).]

नई दिल्ली, 3 जून, 1969

का० आ० 2280.—कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, इस विषय में आवश्यक जांच कर लेने के पश्चात्, एतद्वारा यह विनिर्दिष्ट करती है कि 1 जुलाई, 1968 से उक्त अधिनियम की धारा 6, मेसर्स देवीदयाल मेटल इण्डस्ट्रीज प्राइवेट लिमिटेड गुप्ता मिल्स एस्टेट, रे रोड, मुम्बई-10 महाराष्ट्र को लागू होने के संबंध में इस उपान्तरण के अध्वधीन होगा कि "सवा छह प्रतिशत" शब्दों के लिए "आठ प्रतिशत" शब्द प्रतिस्थापित किए जाएंगे।

[सं० 8/34/69 भा० नि० 2(ii)]

S.O. 2281.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952) and in partial modification of the Notification of the Government of India in the late Ministry of Labour and Employment S.O. No. 2555 dated the 30th August, 1963, the Central Government hereby appoints Shri K. Manoharan to be an Inspector for the Pondicherry and Karaikal area in the Union Territory of Pondicherry also, for the purposes of the said Act and of any Scheme framed thereunder in relation to any

establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a mine or an oil-field or a controlled industry.

[No. 20(9)/68-PF.I.]

का० आ० 2282—कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के भूतपो. श्रम और नियोजन मंत्रालय की अधिसूचना का० आ० सं० 2555, तारीख 30 अगस्त, 1963 में आशिक उपान्तरण करते हुए, केन्द्रीय सरकार उक्त अधिनियम और तदधीन विरचित किसी स्कीम के प्रयोजनों के लिए, केन्द्रीय सरकार के या उसके नियंत्रणाधीन के किसी स्थापन के संबंध में, या किसी रेल कम्पनी, खान या तेल क्षेत्र या नियंत्रित उद्योग से संबंध किसी स्थापन के संबंध में श्री के० मनोहरन् की पांडीचेरी संघ राज्य क्षेत्र में भी पांडीचेरी और कराईकल क्षेत्र के लिए एतद्द्वारा निरीक्षक नियुक्त करती है।

[सं० 20(9)/68-वी० एफ० I.]

S.O. 2283.—In exercise of the powers conferred by sub-section (1) of section 5D of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the Notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1219, dated the 19th March, 1969, the Central Government hereby appoints Shri R. R. Savor as the Central Provident Fund Commissioner with effect from the 1st April, 1969.

[No. 15/5/69-PF.I(i).]

का० आ० 2284—कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) की धारा 5 घ की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, नियोजन और पुनर्वास मंत्रालय (श्रम और नियोजन विभाग) की अधिसूचना सं० 1219, तारीख 19 मार्च, 1969 को प्रतिष्ठित करते हुए, केन्द्रीय सरकार श्री आर० आर० सवूर को 1 अप्रैल, 1969 से एतद्द्वारा केन्द्रीय भविष्य निधि आयुक्त नियुक्त करती है।

[सं० 15/5/69-भ० नि०-1(i)]

S.O. 2285.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the Notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1220, dated the 19th March, 1969, the Central Government hereby appoints Shri R. R. Savor to be an Inspector for the territories to which the said Act extends for the purposes of the said Act or of any Schemes framed thereunder in relation to any establishment belonging to, or under the control of, the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oil field, or a controlled industry.

[No. 15/5/69-PF.I(ii).]

का० आ० 2286—कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, नियोजन और पुनर्वास मंत्रालय (श्रम और नियोजन विभाग) की अधिसूचना सं० का० आ० 1220, तारीख 19 मार्च, 1969 को प्रतिष्ठित करते हुए, केन्द्रीय सरकार उक्त अधिनियम और तदधीन विरचित किसी स्कीम के प्रयोजनों के लिए केन्द्रीय सरकार के या उसके नियंत्रणाधीन के किसी स्थापन के सम्बन्ध में, या किसी रेल कम्पनी, महापत्तन, खान या तेल-क्षेत्र या नियंत्रित उद्योग से सम्बद्ध किसी स्थापन के सम्बन्ध में श्री आर० आर० सवूर को उन राज्य क्षेत्रों के लिए एतद्द्वारा निरीक्षक नियुक्त करती हैं जिन में उक्त अधिनियम का विस्तार है।

[सं० 15/5/69/न० नि०-1(ii).]

New Delhi, the 4th June 1969

S.O. 2287.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mandovi Motors, Attavar Nandigudde Road, Mangalore including branches at Panjim and Bangalore have agreed that the provisions of the employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1969.

[No. 8/18/69-PF.II.]

नई दिल्ली, 4 जून, 1969

क्र० आ० 2288.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मानडोवी मोटर्स, अतावर, नन्दिगुड्डे रोड, मंगलौर, जिसके अन्तर्गत पंजिम और बंगलौर स्थित, शाखाएं भी हैं, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं:

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1969 की जनवरी के पहले दिन को प्रवृत्त हुई समझी जाएगी।

[सं० 8/18/69-भ० नि०-2.]

S.O. 2289.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as South Eastern Railway Cooperative Labour Contract Society Limited, Waitair Railway Station, Visakhapatnam District, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 31st March, 1969.

[No. 8/26/69-PF.II.]

क्र० आ० 2290.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स साउथ ईस्टर्न कोओपरेटिव लबर कन्ट्रैक्ट सोसाईटी लिमिटेड, बालटेयर, रेलवे स्टेशन, जिला विशाखापटनम, आंध्र प्रदेश नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिएं;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को 31 मार्च, 1969 से एतद्वारा लागू करती है।

[सं० 8/26/69-भ० नि०-2]

S.O. 2291.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Indian Valve Company, 4, Fairlie Place, Calcutta-1, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1968.

[No. 8/169/68-PF.II.]

क्र० प्रा० 2292.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स इंडियन वाल्व कम्पनी, 4 फेयरलै प्लेस, कलकत्ता, -1 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ?

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को को एतद्वारा लागू करती है।

यह अधिसूचना 1968 के दिसम्बर के इन्होसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं० 8/169/68-प्र० नि०-2]

दलजीत सिंह, अवर सचिव।

New Delhi, the 5th June 1969

S.O. 2291.—In exercise of the powers conferred by section 73F of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories mentioned in column (4) of the Schedule below, in sparse areas in the State of Rajasthan and specified in the corresponding entries in column (3) of the said Schedule, hereby exempts the said factories from payment of the Employers' special contribution leviable under Chapter VA of the said Act for a period of one year from the date of publication of the notification or until the enforcement of the provisions of Chapter V of that Act in those areas, whichever is earlier.

SCHEDULE

S. No.	Name of District	Name of area	Name of the factory
1	2	3	4
1	Bhilwara	Bigod	M/s. Kisan Vrihat Behu Dhendh Sahakari Samiti Limited.
2	Nagour	Ladhu	The Rajasthan Worsted Spinning Mills.
		Sojat Road	M/s. Asbestos Cement Products.
4	Sikar	Sikar	M/s. Sikar Ispat Udyog Private Limited.
5	Sriganganagar	Hanumangarh Jn.	Rajasthan Canal Project Workshop Sub-Division I.
		Suratgarh Jn.	The Central Workshop Rajasthan Canal Project.
	Udaipur	Patehnagar	M/s. Shree Gopal Industries.

[No. F. 6(11)/68-HI]

New Delhi, the 6th June 1969

S.O. 2294.—In exercise of the powers conferred by sub-section (2) of section 5D of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) S.O. 3461, dated the 20th September, 1967, the Central Government hereby appoints Shri J. M. Pandya as Regional Provident Fund Commissioner in place of Shri B. G. Joshi for the whole of the State of Madhya Pradesh to assist the Central Provident Fund Commissioner in the discharge of his duties.

[No. 17(2)/67-P.F.I.—Part. II-I.]

S.O. 2295.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952, (19 of 1952), and in supersession of the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3462, dated 20th September, 1967, the Central Government hereby appoints Shri J. M. Pandya to be an Inspector for the whole of the State of Madhya Pradesh for the purposes of the said Act and of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of, the Central Government, or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry.

[No. 17(2)/67-P.F.I-Part.II-II.]

DALJIT SINGH, Under Secy.

(Department of Labour and Employment)

New Delhi, the 2nd June 1969

S.O. 2296.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 4519 dated the 13th December, 1968, the banking industry carried on by a banking company as defined in clause (bb) of section 2 of the said Act, to be a public utility service for the purposes of the said Act, for a period of six months from the 29th December, 1968;

And whereas the Central Government is of the opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 29th June, 1969

[No. F. 1/37/69-LRI.]

New Delhi, the 4th June 1969

S.O. 2297.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the Central Bank of India Limited and their workmen, which was received by the Central Government on the 28th May, 1969.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI.

PRESENT:

Shri R. K. Baweja, Central Government Industrial Tribunal, Delhi.
8th May, 1969.

C.G.I.D. No. 4 of 1968

BETWEEN

The employers in relation to the Central Bank of India Limited, Parliament Street, New Delhi.

AND

Their workmen.

Shri C. L. Chopra.—For the management.

Shri Tara Chand Gupta.—For the workman.

AWARD

Vide Order No. 23/27/68-LR. III, dated the 30th May, 1968, the Central Government, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following industrial dispute existing between the employers in relation to the Central Bank of India Limited, Parliament Street, New Delhi and their workman for adjudication to this Tribunal :—

“Whether the action of the management of the Central Bank of India Limited, in not allowing Shri R. C. Das Aggarwal, clerk, Chandni Chowk Branch to work as special Assistant in leave vacancies on temporary basis was justified? If not, to what relief is the workman entitled?”

2. When the case came up today for hearing before me, the parties reported having arrived at an amicable settlement and a memorandum of settlement Annexure “A” was jointly filed by Shri Tara Chand Gupta on behalf of the workman and Shri C. L. Chopra on behalf of the management. Both the above-named representatives verify the terms of the settlement Annexure “A” and seeks an award in terms thereof. I, therefore, pass an award in terms of the settlement Annexure “A” which shall form part of the award
8th May, 1969.

8th May, 1969.

(Sd.) R. K. BAWEJA,

Central Govt., Industrial Tribunal, Delhi.

ANNEXURE ‘A’

In the Court of Shri R. K. Baweja, Presiding Officer, Industrial Tribunal, Delhi.

BETWEEN

Shri R. C. Das Aggarwal through the Central Bank Employees Union, 4906-Kucha Ustad Bagh, Chandni Chowk, Delhi.—*Workman*.

AND

The Central Bank of India Ltd.—*Management*.

In respect of the above matter, the parties have come to the following settlement:—

That the Central Bank of India Ltd., has agreed to promote Shri R. C. Das Aggarwal to the Officer Cadre.

That the award be passed in terms of the above settlement.

For Workman.

For Central Bank of India Ltd.

(Sd.) TARA CHAND GUPTA,

(Sd.) C. L. CHOPRA,

General Secretary,

Legal Adviser,

Central Bank Employees Union,
Delhi.

Central Bank.

Dated 8th May, 1969.

[No. 23/27/68/LR. III.]

S.O. 2298.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, in the industrial dispute between the employers in relation to the Allahabad Bank Limited and their workmen, which was received by the Central Government on the 28th May, 1969.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

Dated May 16th, 1969

PRESENT:

Shri G. C. Agarwala, Presiding Officer.

CASE REF. No. CGIT/LC(R)(11) OF 1969

PARTIES:

Employers in relation to the management of Allahabad Bank Ltd., City Office,
Bareilly.*Versus*Their workmen represented through the Secretary, U.P. Bank Employees
Union, Bareilly.

APPEARANCES:

For Bank—Shri K. N. Mehrotra, Agent, Allahabad Bank Ltd., Civil Lines
Branch, Allahabad.For workmen—Shri P. N. Tewari, Member of the State Executive of U.P. Bank
Employees Union Central Office, Kanpur.

INDUSTRY: Bank

DISTRICT: Bareilly (U.P.).

AWARD

By Notification No. 23/134/68-LR.III, dated the 3rd March, 1969, the Ministry of Labour, Employment and Rehabilitation (Department of Labour & Employment) referred the following matter of dispute as stated in the schedule to the order of reference to this Tribunal for adjudication:—

Matter of dispute

Is the management of Allahabad Bank Limited justified in not paying the cycle allowance at the rate of Rs. 7/- per month for the period from the 1st July, 1966 to the 30th July, 1967 to Shri Ram Prasad? If not, to what relief is he entitled?

The date in the original order of reference was corrected by a corrigendum No. 23/134/68-LR.III, dated 7th April, 1969 and the dispute as corrected now relates to period 1st July, 1966 to 30th June, 1967. It is common case that if the employee, Shri Ram Prasad, had rendered outdoor duties on cycle under the orders of the Branch Manager, he is entitled to the allowance. Both parties filed written statements but later on compromised the dispute as would appear from the annexure. That being so, an award is recorded in terms of compromise settlement which is accepted as a *bona fide* settlement of dispute.

(Sd.) G. C. AGARWALA,
Presiding Officer.
16-5-69.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, JABALPUR

ADJ. CASE No. 11/1968

Secretary, U.P. Bank Employees Union Beharipur Bareilly--Applicant

*Versus*General Manager, Allahabad Bank Ltd, 14 India Exchange Place, Calcutta--
Opposite Party

The Parties have to submit as under:—

(1) That it has been agreed between the Allahabad Bank Ltd. and the U.P. Bank Employees Union to resolve the dispute regarding non payment of cycle allowance to Ram Prasad I of Bareilly City Branch of the bank for the period from 1st July, 1966 to 30th June, 1967 on the following terms:—

(1) That Ram Prasad (I) will be paid Rs. 84/- (Rs. eighty four only) in full and final settlement of the claim for cycle allowance for the above period.

- (ii) That the payment of above cycle allowance as agreed will be made by the bank without creating any precedence or conceding any principle.
- (iii) That the Union agreed to accept the said amount without any extra cost of expenses incurred in this dispute.
- (iv) That the above terms of settlement will be implemented by the bank within one month from the date of this settlement.

Prayer

Both the parties prayed that the hon'ble Tribunal may be pleased to pass consent Award on the terms and conditions agreed upon.

Signed this 14th day of May, 1969 at Allahabad.

For U.P. Bank Employees Union

Sd /- P. N. TEWARI,
Representing workman

For Allahabad Bank Ltd.

Sd./- K. N. MEHROTRA,
Manager,
Allahabad Bank Ltd. Civil
Lines, Branch.

Witness

Sd./- V. C. JAIN,
Secretary, U.P. Bank Employees Union,
Bareilly Unit.

Presented and verified before me.

(Sd.) G. C. AGARWALA,
Presiding Officer.
Industrial Tribunal-cum-Labour Court,
(Central), Jabalpur.

For U.P. Bank Employees Union

Sd./- P. N. TEWARI,
14-5-69.

Representing workman

For Allahabad Bank Ltd.

Sd./- K. N. MEHROTRA,
14-5-69.
Manager,
Representing Employer.

Part of Award

Sd./- G. C. AGARWALA,
Presiding Officer.
[No. 23/134/68/LRIII.]

S.O. 2299.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Jabalpur, in the industrial dispute between the employers in relation to the Allahabad Bank Limited and their workmen, which was received by the Central Government on the 28th May, 1969.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, JABALPUR**

Dated May 16th, 1969

PRESENT:

Shri G. C. Agarwala, Presiding Officer.

CASE REF. No. CGIT/LC(R)(12) of 1969

PARTIES:

Employers in relation to the management of Allahabad Bank Ltd., Bareilly.

Versus

Their workmen represented through the Secretary, U. P. Bank Employees Union, Bareilly.

APPEARANCES:

For Bank—Shri K. N. Mehrotra Agent, Allahabad Bank Ltd., Civil Lines Branch, Allahabad.

For workmen—Shri P. N. Tewari, Member of the State Executive of U. P. Bank Employees Union, Central Office, Kanpur.

INDUSTRY: Bank

DISTRICT: Bareilly (U.P.)

AWARD

By notification No. 23/135/68-LRIII, dated the 3rd March, 1969, the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) referred the following matter of dispute as stated in the schedule to the order of reference to this Tribunal for adjudication:--

Matter of Dispute

Is the management of Allahabad Bank Limited justified in not paying the cycle allowance at the rate of Rs. 7/- per month from the 1st July, 1966 to the 28th February, 1968 to Shri Govind Ballabh? If not, to what relief is he entitled?

It is common case that if the employee, Shri Govind Ballabh, had rendered outdoor duties on cycle under the orders of the Branch Manager, he is entitled to the allowance. Both parties filed written statements but later on compromised the dispute as would appear from the annexure. That being so, an award is recorded in terms of compromise settlement which is accepted as a bona fide settlement of dispute.

(Sd.) G. C. AGARWALA,
Presiding Officer.

16th May, 1969.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, JABALPUR.

ADJ. CASE No. 12/1968.

Secretary, U.P. Bank Employees Union Beharipur, Bareilly—*Applicant*.

Versus

General Manager, Allahabad Bank Ltd., 14 India Exchange Place Calcutta—
Opp. Party.

The parties have to submit as under:—

(1) That it has been agreed between the Allahabad Bank Ltd., and the U.P. Bank Employees Union to resolve the dispute regarding non-payment of cycle allowance to Govind Ballabh of Bareilly City Branch of the bank for the period from 1st July, 1966, to 28th February, 1968 on the following terms:—

- (1) That Govind Ballabh will be paid Rs. 130.75 (Rs. one hundred thirty nine and paise seventy five only) in full and final settlement of the claim for cycle allowance for the above period.
- (2) That the payment of the above cycle allowance as agreed will be made by the bank without creating any precedent of conceding any principle.
- (3) That the Union agreed to accept the said amount without any extra cost of expenses incurred in this dispute.
- (4) That the above terms of settlement will be implemented by the bank within one month from the date of this settlement.

Prayer

Both the parties prayed that the Hon'ble Tribunal may be pleased to pass consent Award on the terms and conditions agreed upon.

Signed this 14th day of May 1969 at Allahabad

For U.P. Bank Employees Union.

(Sd.) P. N. TEWARI,

Representing Workman.

For U.P. Bank Employees Union.

(Sd.) P. N. TEWARI,

14-5-1969.

Representing Workman.

Witness:

(Sd.) V. C. JAIN,

Secy., U.P. Bank Employees Union, Bareilly.

Presented and verified before me.

Sd./- G. C. Agarwala,

Presiding Officer.

14-5-1969.

Part of Award

(Sd.) G. C. AGARWALA,

Presiding Officer.

[No. 23/135/68-LRIII]

New Delhi, the 6th June 1969

S.O. 2300.—Whereas by the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 4518, dated the 13th December, 1968, the Central Government, being satisfied that the public interest so required, had declared the industry for the supply of milk under the Delhi Milk Scheme to be a public utility service for the purposes of the Industrial Disputes Act, 1947 (14 of 1947), for a period of six months from the 22nd December, 1968.

And whereas, the Central Government is of the opinion that public interest requires the extension of the said period;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 22nd June, 1969.

[No. F. 1/38/69-LRI.]

S. S. SAHASRANAMAN, Under Secy.

(Department of Labour and Employment)

New Delhi, the 4th June 1969

S.O. 2301.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 3), Dhanbad, in the industrial dispute between the employers in relation to the Busserya Colliery of Messrs Busserya Coal Company (Private) Limited, Post Office Kusunda, District Dhanbad, and their workmen, which was received by the Central Government on the 27th May, 1969.

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 3) AT DHANBAD.

REFERENCE No. 66 OF 1968

PRESENT:

Shri Sachidanand Sinha, M.A.M.L.—Presiding Officer.

PARTIES:

Employers in relation to the Busserya Colliery.

AND

Their workmen.

APPEARANCES:

For employers.—Shri S. S. Mukherjee, Advocate and Executive Committee member I.C.O.A.*For workmen.*—Sri Lalit Burman, Secretary, Bihar Koyala Mazdoor Sabha.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, dated the 17th of May, 1969.

AWARD

1. The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the Busserya Colliery of Messrs Busserya Coal Company (Private) Limited, Post Office Kusunda, District Dhanbad and their workmen, by its order No. 2/151/66-LRII dated the 21st November, 1966 referred to the Central Government Industrial Tribunal, Dhanbad under section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication the dispute in respect of the matters specified in the Schedule annexed thereto. The Schedule is extracted below:

SCHEDULE

"Whether the action of the management of Busserya colliery of Messrs Busserya Coal Company (Private) Limited in transferring the following quarry pick miners-cum-overburden-removal workers to work as wagon loaders with effect from the 4th July, 1966, was justified? If not, to what relief are the workmen entitled?"

1. Sri Gaju Bouri.
2. Sri Rabi Bouri.
3. Sri Subedar Bouri.
4. Smt. Amdl Bourin.
5. Sri Keshab Bouri.
6. Smt. Habi Bourin.
7. Smt. Bhabl Bourin.
8. Smt. Rashidan Bibi.
9. Smt. Bhani Bourin.
10. Smt. Khandl Bourin.

2. The Central Government Industrial Tribunal, Dhanbad registered the reference as reference No. 160 of 1966 on its file. While it was pending there the proceeding was transferred to the Central Government Industrial Tribunal No. 2, Dhanbad by the Central Government, by its order No. 8/25/67-LRII dated the 8th of May, 1967 where it was registered as reference No. 195 of 1967. The Central Government by its subsequent order No. 8/71/68-LRII dated the 12th of August, 1968 transferred the dispute to this Tribunal and here it has been re-numbered as reference No. 66 of 1968.

3. The management filed their written statement on 6th September, 1968. The Bihar Koyala Mazdoor Sabha filed the written statement on behalf of the workmen on 12th September, 1968. It is unnecessary to state the respective cases of the parties because the dispute has now been settled amicably. They have filed a compromise petition at annexure 'A'. According to the terms of settlement S/Shri Subedar Bouri and Gaju Bouri mentioned in serial No. 1 and 3 will be absorbed as pick miners from the dates they join the above posts. This appointment will be without break in the continuity of their services and they will be

also paid Rs. 100.00 (Rupees One Hundred) only each as *ex-gratia* payment. The services of the workmen mentioned in serial Nos. 4, 5, 6, 7, 8, 9 and 10 stand terminated and the management has agreed to pay to each of them the amounts as shown against their names. The workmen mentioned in serial Nos. 2 and 7 have already resigned and left the colliery and the claims were not pressed by the union. The terms of compromise are fair and reasonable and are accepted. Accordingly an award is made in terms of the memorandum of settlement, a copy of which is enclosed.

4. This is my award. It may now be submitted to the Central Government under section 15 of the Industrial Disputes Act, 1947.

(Sd.) SACHIDANAND SINHA,
Presiding Officer.

ANNEXURE 'A'

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NO. 3 DHANBAD.

REFERENCE NO. 66 OF 1968

PARTIES:

Employers in relation to Busserya colliery.

AND

Their workmen.

That without prejudice to the respective contentions of the parties contained in their written Statements, the above reference has been amicably settled on the following terms:—

(1) That S/Shri Subedar Bourl and Gajo Bourl mentioned in Sl. No. 1 and 3 respectively in the Schedule of the Reference will be absorbed as pick miners from the dates they join the above posts.

That this appointment will be without break in the continuity of their services and each of them will be paid a sum of Rs. 100 (Rupees one hundred) as *ex-gratia* payment.

(2) That Shri Rabi Bourl (Sl. No. 2) and Shrimati Bhabl Bourin (Sl. No. 7) have already resigned and left the colliery. Their claims are, therefore, not pressed by the Union.

(3) That the workmen whose names are noted below are not willing to work and as such their services stand terminated and the management agrees to pay to each of them the amounts as shown against their names:—

	Rs. P.
(a) Smt. Amdi Bourin (Sl. No. 4)	325.00
(b) Shri Keshab Bourl (Sl. No. 5)	400.00
(c) Smt. Habi Dourin (Sl. No. 6)	300.00
(f) Smt. Rashidan Bibi (Sl. No. 8)	425.00
(g) Smt. Bhanl Bourin (Sl. No. 9)	550.00
(h) Smt. Khandl Bourin (Sl. No. 10)	400.00
	2,400.00

Total (Rupees two thousand four hundred only)

(4) That the above amount will be paid to the workmen within 15 (Fifteen) days from the date of this settlement.

(5) That in case of future vacancies for which the workmen mentioned in Para (3) above if found suitable will be given preference by the management for re-appointment.

(6) That the parties will bear their own respective costs.

(7) That the above terms of the settlement finally resolves the dispute of the above reference.

It is, therefore humbly prayed that the terms of this settlement may kindly be accepted and an Award may be passed in terms thereof.

Dated 16th May, 1969.

For the workman.
(Sd) LALIT BURMAN,
General Secretary,
Bihar Koyla Mazdoor Sabha.

For the Employers.
(Sd.) S. S. MUKHERJEE,
Advocate.
(Sd.) N. MUKHERJEE,
Manager,
Busserya colliery.
For The Busserya Coal Co., Ltd.
(Sd.) Illegible.
Director.

[No. 2/151/66-LRII.]

S.O. 2302.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Vishveshwari Khandra Colliery, Post Office Ukhra, District Burdwan and their workmen, which was received by the Central Government on the 28th May, 1969.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 16 of 1969

PARTIES:

Employers in relation to the Vishveshwari Khandra Colliery.

AND

Their workmen.

PRESENT:

Shri B. N. Banerjee,—Presiding Officer.

APPEARANCES:

On behalf of Employers. Bhabatosh Mazumdar, Advocate.

On behalf of Workmen.—Shri Mahendra Narayan Singh, Asstt. Secretary, Colliery Mazdoor Congress.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/120/68-LRII, dated January 25, 1969, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred an industrial dispute between the employers in relation to the Vishveshwari Khandra Colliery and their workmen, to this tribunal, for adjudication, in the following language:

"Whether the management of Vishveshwari Khandra Colliery, Post Office Ukhra, District Burdwan was justified in placing Shri Harihar Ahir, Underground Loader in "Badli list" as "Badli" worker with effect from the 27th June, 1968? If not, to what relief is the workman entitled?"

2. Both the workmen represented by their trade union, Colliery Mazdoor Congress (HMS), and the management filed their respective written statement. The date of peremptory hearing was settled with notice to the parties. At the hearing to-day, the management was represented by Mr. Bhabatosh Mazumdar, Advocate. There was an application filed by Mr. Mahendra Narayan Singh, Assistant Secretary of the Colliery Mazdoor Congress, for adjournment, on the ground that the lawyer engaged to conduct the reference on behalf of the workmen was ill. On the application being rejected by myself, he himself appeared to conduct the case on behalf of workmen.

3. According to the written statement filed on behalf of the workmen, Harihar Ahir, the concerned workman, was an underground loader, who had put in about three years of service under the employer colliery. Harihar Ahir applied for and obtained privilege leave from the management from May 6, 1968 to May 30, 1968. Further, according to the written statement, he fell ill towards the expiry of his leave and sent intimation of his illness to the management by telegram followed by a registered letter asking for extension of leave. Along with the registered letter, he forwarded a medical certificate. The management, however, was reluctant to give extension of leave as prayed for and sent direction to him to rejoin within 4 days of the receipt of the letter. Admittedly the workmen received the letter on June 10, 1968. He did not, however, report for duty earlier than June 22, 1968. Also, according to the written statement, when he reported for duty he was not allowed to rejoin but was charged with misconduct of absence of false pretext. There was an enquiry into his conduct. In paragraph 14 of the written statement, filed on behalf of the workmen, it is alleged:

"That the management held a perfunctory enquiry where the workman was not allowed to adduce evidence in his defence, cross-examine the witnesses of the management nor the recording of the proceedings were explained to the workman and the workman was not allowed reasonable opportunity to defend himself. In fact no witness of the Company was examined in his presence."

Later on, in the written statement, it is stated that in the enquiry the charges were found proved and he was penalised in the following manner:

"Hence, as provided in the Standing Orders you have lost the lien of your service. However, you are entitled to be placed in the 'Badli' list and shall be kept in the Badli list if you so desire."

The trade union of the workmen characterised the action on behalf of the management as *malafide* and illegal and prayed for reinstatement of the workmen with arrears of wages.

4. According to the written statement filed on behalf of the management, the concerned workman overstayed his sanctioned leave and because of his failure to return on the expiry of the leave, he automatically lost his lien on his appointment and became entitled to be kept on 'badli' list as per provisions of the Standing Orders. In paragraphs 7 to 10 of the written statement it is stated as follows:

"7. That the management however in order to give workman a chance to explain the reasons for his unauthorised absence, issued a Charge Sheet dated 22nd June, 1968 to which he submitted a reply.

8. That a thorough departmental enquiry was held on 26th June, 1968 in presence of the workman concerned wherein he was offered full chance and opportunity to cross examine the management's witnesses and also to produce witnesses in defence.

9. That in the above departmental enquiry it was satisfactorily established that the workman's unauthorised absence for more than 10 days beyond the leave originally granted to him was not for any satisfactory reason.

10. That the management however took a lenient view and instead of dismissing the workman from service a letter, dated 27th June, 1968 was issued to him informing he has lost the 'lien' on his appointment and he will be entitled to be placed on the 'Badli' List".

The management, therefore, took up the position that the workman was not entitled to any relief at all.

5. I am in this unhappy position that the management did not file the documents concerning the departmental enquiry. The only excuse which Mr. Mazumdar appearing for the management could give was that the parties were negotiating a settlement and therefore he did not come prepared and ready with the documents in the expectation of an adjournment. How he could expect so much and why at all, it is difficult to understand. This is all the more so because in the petition for adjournment, filed on behalf of the trade union of the workmen, there is no prayer for adjournment on the ground of any proposed settlement.

6 Be that as it may, the concerned workman deposed in this case. In answer to questions put by the tribunal, the workman answered:

"There was an enquiry held into charge. I personally attended the enquiry. At the enquiry, I was found guilty and I was discharged from service."

In cross-examination he further stated, 'I was allowed to cross-examine the witnesses produced by the management'. Thus, although the papers of the enquiry proceedings are not before this tribunal, from the pleadings and the evidence of the workman himself the following facts emerge:

- (a) that the workman went on privilege leave.
- (b) he overstayed the privilege leave granted to him.
- (c) the ground given by him for overstaying of leave did not appeal to the management.
- (d) he disregarded the directions sent to him to rejoin within a given time.
- (e) when he rejoined he was charged with misconduct, namely, for absence on false pretext.
- (f) there was an enquiry with notice to the workman. The workman showed cause and attended the enquiry. He was allowed to cross-examine witnesses produced by the management against him at the enquiry.
- (g) he was found guilty at the enquiry and instead of being given the extreme penalty of dismissal, he was placed in the badli list.

7. In support of the nature of punishment meted out to the workman, Mr. Mazumdar, appearing for the management, invited my attention to clause 10(f) of the Standing Order of Vishveshwari Khandra Colliery which reads as follows:

"If a workman remains absent beyond the period of leave originally granted or subsequently extended, he shall lose lien on his appointment unless he

- (a) returns within ten days of expiry of his leave, and
- (b) explains to the satisfaction of the Manager his inability to return on the expiry of his leave.

In the case, the workman loses his lien on the appointment, he shall be entitled to be kept on the "badli list".

8. Two points were urged on behalf of the workmen by Mr Mahendra Narayan Singh, Assistant Secretary of the trade union. He contended, in the first place, that if a man was really ill and unable to come that should not have been construed as a misconduct particularly absence on false pretext. The management, it was argued, accepted the medical certificate submitted by the workman (Ext. 1). That certificate is by an Allopathic Practitioner of the name of Dr. Dwarka Prasad and reads as follows:

"Certified that Harihar Ahir s/o Sheonandan Ahir of Village and P.O. Dhanantli (Saran) has been suffering from remittent fever. He is under my treatment from the 30th May, 1968 and I think it will take about 10 (ten) days more to get him completely alright."

(Sd.)/- DWARKA PRASAD,

Reg. No. : 505 (B & O).

I am not satisfied with this argument. The workman in his evidence tried to pass off the certificate as the certificate given by the doctor attached to the hospital where he was treated. The relevant portion of his evidence is quoted below:

"The medical certificate given to me was by a Doctor working in the hospital (Shown the certificate dated June 4, 1968, given by Dr. Dwarka Prasad). This is the certificate that I sent to the management. I dispute your suggestion that Dr. Prasad is a private practitioner and not attached to the hospital. He gave the certificate as a doctor attached to the hospital (Certificate marked Ext. 1).

The certificate belies his statement. The certificate shows that Dr. Prasad issued the certificate in his private capacity and not as a hospital doctor. Be that as

it may, the management disbelieved the evidence of medical certificate. But it is not the allegation of the workman that in so doing the management proceeded without evidence or perversely or with bias. I do not, therefore, make much of the first branch of the argument made by Mr. Mahendra Narayan Singh.

9. The second branch of his argument was that under Sec. 25C Explanation:

"Badli" workman means a workman who is employed in an industrial establishment in the place of another workman whose name is borne on the muster rolls of the establishment, but shall cease to be regarded as such for the purposes of this section, if he has completed one year of continuous service in the establishment."

Since the concerned workman had already more than three years of service at his credit, he would not be a badli workman under section 25C explanation. The other prong of the second branch of the argument was that even under clause 10(f) of the Standing Orders, the right was reserved to the workman to be kept on the "badli" list. There was no power in the management to forcibly enter the name of a workman in the "badli" list if he once lost his lien on his appointment. The second prong of the argument may be shortly disposed of. In paragraph 15 of the written statement filed on behalf of the workman, the penal order is set out. Therein it is stated, "however, you are entitled to be placed in the badli list and shall be kept in the badli list if you so desire". The language does not show that he was forcibly kept in the badli list. The penal order is desired. The first branch of the argument has, however, substance. No workman after three years of service can be kept on the badli list. But this does not help the workman at all. In my opinion, the two parts of the punishment order are severable. The first part namely the loss of lien portion is severable from the portion which gives option to the concerned workman to be kept on the badli list. Therefore, in as much as a three years old workman cannot be fitted in the badli list that part of the order may be wrong. That does not, however, effect the substantive part of the order, namely, the order directing loss of lien on service.

10. In the view that I take, I hold that the management of Vishveshwari Khandra Colliery may not have been justified in placing Harihar Ahir, underground loader in "badli" list as badli worker with effect from 26th June, 1968 in the circumstances of the case, but was justified in making him lose the lien on his service. As such he is not entitled to any relief.

This is my award.

(Sd)/- B. N. BANERJEE,
Presiding Officer.

[No. 6/120/68-LRII.]

Dated, 23rd May, 1969

S.O. 2303.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Western Kajora Colliery, Post Office Raniganj, District Burdwan (West Bengal), and their workmen, which was received by the Central Government on the 28th May, 1969.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 18 OF 1968

PARTIES:

Employers in relation to the management of Western Kajora Colliery,
AND
Their workmen.

PRESENT:

Shri B. N. Banerjee, Presiding Officer.

APPEARANCES:

On behalf of Employers—Absent.

On behalf of Workmen—Absent.

STATE: West Bengal.

INDUSTRY: Coal Mines

AWARD

By Order No. 6/123/68-LRII, dated January 25, 1969, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred an industrial dispute between the management of Western Kajora Colliery and their workmen, to this tribunal, for adjudication, in the following language:

"Whether the management of Western Kajora Colliery was justified in stopping from work Sarvashri Habu Gope, Bhuneswar Turi, Timber Mazdoors and Bihari Singh, Pickminer of Western Kajora Colliery from the 1st week of January 1968? If not, to what relief are these workmen entitled?"

2. Notices were sent to the parties calling upon them to file their respective written statements. The notice was served upon the trade union of the workmen on February 19, 1969, and on the management on February 21, 1969. Nobody cared to file their written statement.

3. May 3, 1968 was fixed as the date of settling a date of peremptory hearing, with notice to the parties. On that day Sri J. K. Prasad appeared on behalf of the management. Nobody appeared for the workmen. On that date the following order was passed:

"To May 23, 1969, for peremptory hearing. Parties must file their documents before the date fixed for hearing with a list of documents served on the other side. Parties must come ready with their witnesses on the date fixed for hearing. No adjournment will be granted on that date.

Inform workmen by registered post."

The information was sent to the Organising Secretary of the trade union of the workmen by registered post and was received by him on May 8, 1969.

4. At the hearing today nobody either on behalf of the management or on behalf of the workmen appeared before this tribunal. This continued inaction on the part of the parties and their disinterestedness in the subject matter of the dispute lead me to think that there is no further dispute between the parties and they are no longer interested in the carriage of the dispute referred to this tribunal.

5 I. therefore, record a 'no dispute' award between the parties.

(Sd)/- B. N. BANERJEE,
Presiding Officer.

Dated May 23, 1969.

[No. 6/123/63-LRII]

New Delhi, the 5th June 1969

S.O. 2304.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 2), Dhanbad in the industrial dispute between the employers in relation to the Kathara Colliery of National Coal Development Corporation Limited, Kathara, Post Office Kathara, District Hazaribagh and their workmen, which was received by the Central Government on the 27th May, 1969.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2)
AT DHANBAD**

PRESENT

Shri Nandagiri Venkata Rao, Presiding Officer

REFERENCE No. 268 OF 1967

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2)
Disputes Act, 1947.**

PARTIES:

Employers in relation to the Kathara Colliery of National Coal Development Corporation Limited, Kathara, Post Office Kathara, District Hazaribagh
AND
Their workmen

APPEARANCES:

On behalf of the employers.—Shri S. S. Mukherjee, Advocate.
On behalf of the workmen.—Shri D. Narsingh, Advocate.

STATE: Bihar

Dhanbad, 21st May, 1969

INDUSTRY: Coal.

AWARD

The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the Kathara Colliery of National Coal Development Corporation Limited, Kathara, Post office Kathara, District Hazaribagh and their workmen, by its order No. 2/145/68-LRII dated 16th September 1967 referred to this Tribunal under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication the dispute in respect of the matters specified in the schedule annexed thereto. The schedule is extracted below:—

SCHEDULE

"Whether the management of Kathara Colliery of National Coal Development Corporation Limited, Post Office Kathara, is justified in terminating the services of Shri Sadhu Saran Prasad, Dumper Operator, Grade-I, of Kathara Colliery with effect from the 19th October, 1962? If not, to what relief is the workman entitled?"

2. Workmen as well as the employers filed their statement of demands. The workmen also filed a rejoinder to the statement of the employers.

3. Shri Sadhu Saran Prasad (hereinafter referred to as the affected workman) was a Dumper Operator, Grade-I of Kathara Colliery of the employers. On 18th August, 1962 the affected workman was served by the management with a letter stating that he had removed from the premises of the colliery 160 tons R.O.M. coal, that he should remove back the coal to the site ordered within 3 days and that in default he would be liable for disciplinary action. On 31st August, 1962 the Deputy Superintendent of the collieries gave to the affected workman a chargesheet alleging that by removing the 160 tons of R.O.M. coal from the premises of the colliery and by not bringing it back he had committed the offences; (1) stealing the Corporation property, and (2) disobedience of instructions and that the two acts on the part of the affected workman constituted grave misconduct under Standing Order 18(a)(c). The affected workman was called upon to show-cause within 7 days as to why he should not be dismissed from service for the above misconducts. The management simultaneously had reported the matter to the police and a case under Section 379 I.P.C. and also under Section 7 of the Essential Supplies Act was filed against the affected workman by the police. In his reply dated 4th September, 1962 to the charge-sheet the affected workman stated that since a police case was pending against him in connection with the allegations mentioned in the charge-sheet, any action contemplated by the management to be taken against him be deferred till the disposal of the case filed by the police. Apart from this he did not say anything in respect of the allegations made against him in the chargesheet. The Deputy Superintendent of collieries constituted an enquiry committee to investigate into the charge framed against the affected workman through the letter dated 5th September, 1962 with a copy to the affected workman. The committee was constituted of the 3 Officers, the Excavating Engineer as Chairman and Area Engineer and Assistant Manager as members. The Chairman of the enquiry committee through the letter dated 6th/7th September 1962 called the meeting of the enquiry committee on 7th September 1962 at 4-30 P.M. and informed the affected workman to be present at the meeting for the purpose of enquiry. Accordingly the enquiry committee conducted an enquiry and recorded statements of witnesses. The affected workman did not make any statement in respect of the charge brought against him. The enquiry committee submitted its report to the Project Officer on 10th September 1962, holding the affected workman guilty on both the counts of the charge and recommended that his services be terminated. On 2/3rd October, 1962 the Project Officer served a notice on the affected workman informing him that the enquiry committee had found him guilty of the charge of grave misconduct under Standing Order 18(a)(c) and calling upon him to show cause within 7 days as to why he should not be dismissed from service. The affected workman submitted his explanation, repeating that in respect of the same allegations a police case was pending and stating that he had no intention to commit theft in removing coal dust from the colony side, that he had removed the coal dust with the intention of filling a ditch under the impression that it was of no use to the management, that by his doing so he thought that his act would be appreciated because the coal dust was causing filthy and dirtiness in the colony and that he had removed it with the knowledge of the management and the Deputy Superintendent of collieries. In the end he pleaded that he had not done anything which could give cause for a complaint. The Project Officer did not find the explanation satisfactory and issued the letter dated 19th October 1962 to the affected workman dismissing him

from service with immediate effect. These facts are not in dispute. The employers filed their statement stating that having detected the affected workman having removed from the premises of the colliery about 160 tons of R.O.M. coal, they proceeded against him strictly in accordance with the Standing Orders, held domestic enquiry in accordance with the principles of natural justice, giving him full opportunity to defend himself and terminated his services having found him guilty of grave misconduct in terms of order 18(a)(c) of the Certified Standing Orders. Thus, they justified the action taken by them. They have also taken 2 legal objections against sustainability of the reference, pleading that the reference arose out of an individual dispute and out of an overstate claim. The case of the workmen is that there was no enquiry held before the affected workman was dismissed, that the affected workman was not given sufficient time to prepare his defence, that when he appeared before the enquiry committee a statement already typed in English was presented to him by the enquiry committee asking him to affix his signature to it without even reading over and explaining it to him, that the affected workman refused to put his signature, that he was not permitted to call his brother to assist him in the enquiry, that he was not given opportunity to lead his defences, that the enquiry was against the principles of natural justice, that he did not remove the R.O.M. coal as alleged and what was removed by him was merely useless and unhygienic coal dust, that he had removed it with the knowledge of the management, that on the same allegations a criminal court acquitted him and that his dismissal was unwarranted and unjust. They denied that there was any substance in either of the two legal objections raised by the employers against sustainability of the reference. The employers were represented by Shri S. S. Mukherjee, Advocate and the workmen by Shri D. Narsingh, Advocate. On admission by the workmen Ext. M1 to M3 for the employers and on admission by the employers Exts. W.1 to W.23 for the workmen were marked. On behalf of the employers 2 witnesses were examined and Exts. M9 to M13 were marked. The workmen examined the affected workman as WW.1 and marked Exts. W24 to W26. On admission by the employers Ext. W.27 was also marked for the workmen.

4. Shri S. S. Mukherjee, the learned Advocate for the employers has stated that he did not press the objection against sustainability of the reference on the ground that the dispute involved in it was an individual dispute and that the objection should be treated as given up. The reference relates to the dismissal of an individual workman and under Section 2-A of the Industrial Disputes Act, 1947 such a dispute between the workman and his employer is to be deemed an industrial dispute notwithstanding that no other workman nor any union of workmen is a party to the dispute. Hence, the objection is over-ruled. I also do not find any force in the objection that the reference relates to an overstate claim. The affected workman was dismissed from service through the letter dated 19th October 1962 with immediate effect. Just after 5 days through the letter dated 21/24th October 1962, Ext. W.8 the Colliery Mazdoor Sangh took up the dispute with the Conciliation Officer, Hazaribagh. The letters Exts. W.9 W.10, W.11, W.13, W.16, W.17, W.18; W.19, W.20, W.21 and W.25 clearly show that till 11th July 1966 either the affected workman or the union representing him was in regular correspondence in respect of the dispute either with the Conciliation Officer or the management. That apart, Ext. W.12 is the judgment of Munsif Magistrate, Giridih showing that the case against the affected workman under Section 379 I.P.C. and under Section 7 of the Essential Supplies Act was disposed of on 9th March 1964. The failure report of the Assistant Labour Commissioner accompanying the reference is dated 27th September 1966 and the reference is dated 16th September 1967. It is true that overstate or unreasonably delayed claims should not be encouraged. But, as I have stated above the documents clearly show that the affected workman was pursuing his claim throughout this long period and not sleeping over it. Further, no limitation is prescribed in respect of the claims to be referred by the Government for adjudication. For these reasons I over-rule this objection also.

5. The case of the employers is that the dismissal of the affected workman was followed by a domestic enquiry. The workmen have denied that any enquiry was held in presence of the affected workman and that if at all there was any it was not in accordance with the principles of natural justice. Ext. M1 is a letter issued to the affected workman on 18th August 1962 and it is the same as Ext. W.2. It stated that the affected workman had removed from the premises of the colliery 160 tons of R.O.M. coal and that he should remove back the above quantity of coal to the site ordered within 3 days. It was also pointed out through the letter that in default the affected workman would be liable for disciplinary action and that he should explain why the disciplinary action should not be taken against him. Though the employers have referred to this letter as a charge-sheet is not so in fact. To this letter, Ext. M1, the affected workman did not submit any reply, nor

did he comply with the direction by removing back the coal alleged to have been removed by him from the premises of the colliery. On 31st August 1962 the employers issued another letter, Ext. M2, the same as Ext. W.3, to the affected workman. It is a charge-sheet alleging that he had committed theft of 160 tons of R.O.M. coal from the premises of the colliery, that in spite of the letter, Ext. M1 he did not remove back the coal to the colliery site or submit explanation. It is further mentioned that the 2 acts of the affected workman constituted gross misconducts under clauses (a) and (c) of the order 18 of the Certified Standing Orders, Ext. W.27. Order 18 of the Certified Standing Orders deals with disciplinary action for misconduct and states that a workman may be suspended or fined or his increment may be stopped or he may be demoted or dismissed without notice if he is found to be guilty of the misconduct. The order also mentions the acts which denote misconduct. Clause (a) deals with theft, fraud or dishonesty in connection with the employers business or property and clause (c) with wilful insubordination or disobedience whether alone or in conjunction with another or others, or of any lawful or reasonable order of his superior. In view of the allegations contained in Exts. M1 and M2 that the affected workman had committed theft of 160 tons of R.O.M. coal from the premises of the colliery and that in spite of specific direction through Ext. M1 he did not remove back the coal to the colliery site, I find that the charge against the affected workman was properly framed. To this charge-sheet, Ext. M2 the affected workman submitted his reply, Ext. M3, stating therein that a police case was pending and that the action desired to be taken against him may be deferred till after the disposal of the police case. He did not say a word against the allegations made against him in the charge-sheet, Ext. M2. Then the employers constituted an enquiry committee under intimation to the affected workman and the Chairman of the enquiry committee fixed the hearing on 7th September 1962 and sent information to the affected workman. The affected workman, WW.1 says that he went to the place of enquiry on the appointed date at the appointed time but no enquiry was held and that the people at the enquiry asked him to sign on some papers which were written in English and he refused to sign them as he did not know the contents, that he said that he would sign the papers after he sent for his brother and the brother read over and explained the papers to him and that the people there did not send for his brother but asked him (affected workman) to go away. On this material the learned Advocate representing the workmen has strenuously argued that no enquiry at all was held in presence of the affected workman by the enquiry committee. MW.2 is a Member of the enquiry committee. His evidence is that 5 witnesses of the management were examined in presence of the affected workman, that they were typed by the typist Shri Patnalk to the dictation of the Chairman also in presence of the affected workman, that the Chairman himself read over and explained the statements in Hindi to the affected workman, that opportunity was given to the affected workman to cross-examine the witnesses but the affected workman declined to do so and that the statement of the affected workman recorded is Ext. M11(A). The witness, MW.2 also proved the enquiry proceedings, Ext. M11 and the enquiry report, Ext. M12. He denied emphatically that when the affected workman went to the enquiry the enquiry committee produced before him statement already recorded in English and asked him to sign on them or that the affected workman asked assistance of his brother and a co-worker or that the request was refused. He also denied that the affected workman was asked to go away from the enquiry. The witness, MW.2 is cross-examined at length but not even a question is put to him to elicit why he should depose falsely against the affected workman. It is true that the witness was an employee under the employers but that fact by itself cannot give rise to the inference that he was inimically disposed towards the affected workman, particularly when the witness was holding a high post as the Area Engineer. The evidence of the witness is well supported by the enquiry proceedings, Ext. M11 and the enquiry report, Ext. M12, which contain signatures of all the members of the enquiry committee. As against this material the bald statement of the affected workman cannot be believed. Hence, I hold that the enquiry committee held the enquiry in presence of the affected workman on the appointed date and at the appointed time and the enquiry was a proper one. The evidence of MW.2 is that the statements of 5 prosecution witnesses were recorded in presence of the affected workman that they were read over and explained to him in Hindi by the Chairman and that opportunity was given to the affected workman to cross-examine the witnesses but he declined. It is contended for the workmen that the statements were not read over and explained to him. I have already pointed out that in this respect the evidence of MW.2 is believable and as such, the contention cannot sustain. It is also alleged that the request of the affected workman to seek assistance of his brother and co-worker at the enquiry was refused by the enquiry committee. The statement of the affected workman before the enquiry committee is Ext. M11(a). It does not mention the allegation put forth now. Ext. M5 is a letter of the affected workman to the Chairman of the enquiry.

committee. It is dated 8th September 1962 and it is one of the admitted documents. Obviously, it is written after the enquiry proceedings of 7th September 1962. But there is not even a whisper in the letter, Ext. M5 about the allegation now being made. If what the affected workman says now was correct, he would have surely mentioned in this letter, Ext. M5 that on the previous day the enquiry committee produced before him already typed papers for his signature or that he was not given opportunity to cross-examine the witnesses or to seek assistance from his brother and co-worker at the enquiry or that he was asked to go away from the enquiry. After the enquiry was concluded finding the affected workman guilty of the charge a notice, Ext. M6 was issued to the affected workman to show cause why he should not be dismissed from service. Admittedly, this notice was received by the affected workman and he submitted a reply to it. It is Ext. M7. In this letter, in addition to referring to the police case the affected workman has stated at length that he had not committed theft of the alleged coal. Significantly he does not mention anything about the enquiry and the allegations made by him now against the enquiry committee. He does not even say that no enquiry at all was held. After the affected workman was dismissed from service a dispute was raised before the Assistant Labour Commissioner and in that connection a number of letters such as Exts. W8, W9, W10, W11, W13, W17, W18 and W19 were addressed to the Assistant Labour Commissioner and also to the employers. None of them or any other document shows that the allegation now made against the enquiry committee was made at any time before. It is contended that in the notice of enquiry the affected workman was not asked to be present at the enquiry along with some other person to assist him or along with his defence witnesses. The Standing Orders nowhere provide for such a direction to be mentioned in the notice of enquiry. Further, there is no material that the enquiry committee refused the request of the affected workman to call some one for his assistance or to give time to produce his evidence. All through the case of the affected workman before the enquiry committee was that owing to police case he was not prepared to say anything in respect of the charge brought against him or produce his defence evidence. On this evidence I have no hesitation to hold that the domestic enquiry was held in presence of the affected workman, that the affected workman was given full opportunity to cross-examine the prosecution witnesses and defend himself, that no principle of natural justice was violated in holding the enquiry and that the enquiry was proper and just. It is also to be observed that even at this stage the case of the workmen is not that the affected workman had not removed anything from the premises of the colliery of the employers. What is stated is that he had removed the useless and unhygienic coal dust, carried in a truck and dumped it in the ditch behind his house. So, what he removed was R.O.M. coal or merely useless and unhygienic coal dust was a question of fact and the enquiry committee held that it was R.O.M. coal. Before the enquiry committee the affected workman did not plead that what he removed was only useless and unhygienic coal dust but not R.O.M. coal. For the first time he came forth with the story of the useless and unhygienic coal dust through Ext. M 7, by which time the enquiry had already concluded. Further, it is admitted by the workmen that the affected workman did not remove back to the colliery premises whether R.O.M. coal or mere coal dust which he had removed and dumped in the ditch behind his house. Thus, he did not obey the orders given to him by his employers. The workmen had sufficient opportunity to lead evidence before this Tribunal to show that what the affected workman had removed was not R.O.M. coal but it was only useless and unhygienic coal dust. A part from the bald testimony of the affected workman no material is brought on record. The Deputy Superintendent of collieries, MW. 1 has deposed that he went and saw where the coal was dumped by the affected workman and that it was R.O.M. coal of various sizes and not kacbra. The plea of the workmen is that the affected workman had removed the coal dust with the permission of MW. 1. But the plea is categorically denied by MW. 1. In this view I hold that the findings arrived at by the enquiry committee were correct. It has been pointed out by the Supreme Court time and again that an industrial tribunal to which a dispute arising from dismissal of an industrial employee is referred for adjudication is not an Appeal Court having the power to examine the correctness of the conclusions of fact arrived at in a domestic enquiry. As pointed out in *G. McKenzie and Co. Ltd., vs its workmen and others* (1959-I-L.L.J. 285) the Tribunal can interfere in the findings of the domestic enquiry—

- (i) when there is want of good faith,
- (ii) when there is victimization or unfair labour practice,
- (iii) when the management has been guilty of a basic error or violation of a principle of natural justice and
- (iv) when on the materials the finding is completely baseless or perverse.

What of evidence, there is not even an allegation by the workmen against good faith of the employers or of victimization or unfair labour practice in dealing with the affected workman. I have already pointed out that there was no basic error or violation of any principle of natural justice by the enquiry committee in holding the enquiry. Having gone through the evidence of the 5 witnesses for the management recorded by the enquiry committee I do not find room to hold that the findings arrived at by the enquiry committee were baseless or perverse. The findings and recommendations of the enquiry committee were approved by the Chief Mining Engineer, as is evident from Exts. M 9 and M 10 and then the letter of dismissal Ext. W. 1 was issued. It is also contended that the affected workman was acquitted by the Criminal Court on practically the same charge. But, as pointed out by the Supreme Court in *J. K. Cotton Spinning and Weaving Company, Ltd., vs its workmen* (1965-11-L.L.J. 153) the acquittal is of no avail to the workmen.

6. I, therefore find that the management of Kathara colliery of National Coal Development Corporation Limited, Post office Kathara, was justified in terminating the services of Shri Sadhu Saran Prasad, Dumper Operator, Grade-I of Kathara colliery with effect from the 19th October, 1962 and, consequently, he is not entitled to any relief. The award is made accordingly and submitted under Section 15 of the Industrial Disputes Act, 1947.

(Sd.) N. VENKATA RAO,

Presiding Officer,
Central Govt. Industrial Tribunal (No. 3)
Dhanbad.

[No. 2/145/66-LRIL]

S.O. 2305.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 3), Dhanbad, in the industrial dispute between the employers in relation to the Bhuggatdih Rise Area Colliery, Post Office Dhansar, District Dhanbad and their workmen, which was received by the Central Government on the 28th May, 1969.

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 3) AT DHANBAD

REFERENCE No. 105/68

PRESENT:

Shri Sachidanand Sinha, M.A. M.L., Presiding Officer.

PARTIES:

Employers in relation to the Bhuggatdih Rise Area Colliery,

Vs.

Their workmen.

APPEARANCES:

For employers.—Shri S. S. Mukherjee, Advocate.

For workmen.—Shri B. Joshi, Advocate

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, dated the 17th of May, 1969

AWARD

1. The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the Bhuggatdih Rise Area Colliery, Post Office Dhansar (District Dhanbad) and their workmen, by its order No. 2/168/68-LRIL, dated the 7th of October, 1968 referred to this Tribunal under section 10(1)(3) of the Industrial Disputes Act, 1947 for adjudication the dispute in respect of the matters specified in the Schedule annexed thereto. The Schedule is extracted below:

SCHEDULE

"Whether the action of the management of Bhuggatdih Rise Area Colliery, Post Office, Dhansar (Dhanbad), in dismissing Shri Kedar Pandey,

Miner, with effect from the 14th May, 1968, was justified? If not, to what relief is the workmen entitled?"

2. The employers filed the written statement on 30th October 1968. Their case is that the concerned workman Sri Kedar Pandey was working as a miner-cum-loader in the colliery at the relevant time. Sri Kedar Pandey was attached to the II shift on 26th December 1967. It was reported that he refused to take up the duties as Loader and disobeyed the order although he was asked to do so. He also left the mine without permission at about 9-30 p.m. i.e. before the expiry of his shift without doing any work. For the above misconduct a chargesheet dated 27th December 1967 was issued to Sri Kedar Pandey to which he submitted his reply. In spite of the notice to attend the departmental enquiry and also being verbally asked to participate in the same, Sri Kedar Pandey deliberately and intentionally refused to attend the departmental enquiry and therefore, it was conducted in his absence on 9th March 1968. In the above departmental enquiry the misconduct mentioned in the chargesheet dated 27th December, 1967 was satisfactorily established which merited dismissal.

3. In the meantime Sri Kedar Pandey committed another misconduct on 1st January 1968, in that he behaved with the Overman Sri G. J. Bhalsore in an indecent and disorderly manner and he caught him by his shoulder, dragged him from 4th dip to 8th dip and did not allow him to come out of the mine. For the above misconduct Sri Kedar Pandey was served with a chargesheet dated 6th January 1968 to which he submitted his reply. On this occasion also Sri Kedar Pandey refused to attend the enquiry although notice on this behalf was issued to him and he was also asked to attend the same. The departmental enquiry was therefore, conducted in his absence on 9th March 1968. In the above departmental enquiry the misconduct mentioned in the chargesheet dated 6th January 1968 was satisfactorily established which merited dismissal. Sri Kedar Pandey was therefore, dismissed by letter dated 14th May 1968. According to the management the dismissal of Sri Kedar Pandey was *bona fide* and was based on proved misconduct.

4. The Khan Mazdoor Congress filed the written statement on 22nd November 1968, on behalf of the workmen. Their case is that the concerned workman Sri Kedar Pandey was issued with a chargesheet, dated the 27th December, 1967, containing the allegation of refusing to take up the duties of a loader in the 2nd shift of the 26th December, 1967. The concerned workman was appointed as a miner and was doing the duties of a miner and it was the duty of the management to provide working place to the workman for cutting and loading coal. The management refused to give employment to the workman on that day and instead issued a false fabricated chargesheet of refusing to take up the duties of a loader. The management issued another chargesheet dated 6th January, 1968 containing the allegation of misbehaving with the Overman Sri G. J. Bhalsore and dragging him from 4th dip to 8th dip in the third shift on 1st January, 1968. According to the Union the charge was improbable, false and fabricated.

5. The management wanted to hold the departmental enquiry into the above chargesheets on 9th March, 1968, at the office of Ena Colliery, which is the neighbouring mine of the concerned colliery belonging to the same owner. The concerned workman represented to the Manager on 7th March, 1968, to kindly arrange the enquiry in the concerned colliery office, to which the manager assented to and promised to intimate the date of enquiry later on. No date was intimated and no enquiry was held and the workman was illegally and arbitrarily dismissed from 14th May, 1968. According to the Union the management had been indulging in various malpractices for the purpose of depriving the workmen of their legitimate dues. A branch of the Union Khan Mazdoor Congress was established in this colliery in the month of September, 1967 in order to espouse the cause of the workmen. The concerned workman Sri Kedar Pandey was an active member of the said union and in consequence he incurred the displeasure of the management. The chargesheets levelled against the concerned workman were false and fabricated and the enquiry report and proceedings are all manufacture by the management and the concerned workman has been victimised for his union activities. The Union therefore, has prayed for re-instatement with full back wages and continuity of services of the concerned workman.

6. On behalf of the management two witnesses have been examined, viz., Sri B. Shukla, Labour Officer, MW-1 and Sri G. J. Bhalsore, Overman, MW-2 and 11 items of documents have been exhibited and they are marked as Ext. M-1 to M-11. On behalf of the workman two witnesses have been examined, viz., Sri R. B.

Prasad, Secretary of the Khan Mazdoor Congress, WW-1 and Sri Kedar Pandey, the concerned workman, WW-2 and 16 items of documents have been exhibited and they are marked as Ext. W-1 to W-16.

7. The point for consideration is whether the dismissal of the concerned workman Sri Kedar Pandey, Miner with effect from 14th May, 1968 was justified?

8. Sri Kedar Pandey was charged on 27th December, 1967 on the allegation that he, in the 2nd shift of 26th December, 1967 at Bhuggatdih Rise Area Colliery Incline, was ordered to take up the duties as Loader, but he disobeyed the above lawful and reasonable order. According to the management the concerned workman Sri Kedar Pandey was working as a Miner and Loader. In this connection the management had filed form B registers. Ext. M-10 is the form B register for the year 1967. The name of the concerned workman Sri Kedar Pandey appears in serial No. 136 showing him as minor and loader. It was submitted before me that the word 'and loader' has been subsequently added to suit the case of the management. From the naked eye it also appears that the word 'and loader' is written in a different ink and there is substance in the submission of the union that word 'and loader' has been subsequently added by the management. Ext. M-11 is the form B register for the year 1968 i.e. after the occurrence and as such it is not material. On the other hand the union has filed Ext. W-16, which is photo of the concerned workman Sri Kedar Pandey in form B. It shows that he was appointed on 4th April 1964 as a miner. WW-2 Sri Kedar Pandey, the concerned workman has also stated in his evidence that before 26th December 1967 he never worked as loader. The Union has also relied upon the endorsement made in the form III registers (Wage Registers). Ext. W-6, W-7 and W-8 in order to show that the concerned workman Sri Kedar Pandey never worked as Loader prior to 27th December 1967. Ext. W-6 is the form III register and serial No. 130 shows that the concerned workman worked as a loader from 27th December 1967. The same register would show that he never worked as loader prior to 27th December 1967. Ext. W-7 and W-8 are the form III register of the earlier period showing that he worked as a miner prior to 26th December 1967. These registers are maintained under section 48(3) of the Mines Act and Rule 78 of the Mines Rules 1955. It was argued before me on behalf of the union that on 26th December 1967 no order was issued to the workman concerned by the manager to take up the work of loader and that when the manager ordered him to take up the job of loader from 27th December 1967 the concerned workman worked as loader.

9. According to the Union the concerned workman was working as a miner prior to 26th December 1967. The concerned workman Sri Kedar Pandey was not provided with working faces and he was forced to remain idle. The case of the Union is that the management by unilateral action changed the condition of service of the concerned workman and asked him to work as a loader instead of a miner. According to the Union there was no misconduct on the part of the workman. On the other hand it was the management who committed wrong in changing the condition of service of the concerned workman unilaterally. On these grounds it is submitted on behalf of the Union that the charge levelled against the concerned workman was *mala fide* and there is quite some force in this submission. Even the description of the concerned workman in the order of reference is given as "miner" and not 'loader'. Therefore, there was no foundation of the charge that was levelled against the concerned workman Sri Kedar Pandey.

10. The second charge against the concerned workman Sri Kedar Pandey was that he misbehaved with the Overman Sri G. J. Bhalsore on 1st January 1968 (third shift) at Bhuggatdih Rise Area Incline inasmuch as he caught him by shoulder and dragged him from 4th dip to 8th dip and did not allow him to come out of the mine. According to the management while Sri G. J. Bhalsore was making inspection, the concerned workman Sri Kedar Pandey suddenly appeared before him and demanded the supply of empty tubs immediately and on his expression of helplessness on this point the concerned workman Sri Kedar Pandey caught hold and dragged him. WW-3 Sri Kedar Pandey has stated in his evidence that a miner or loader has got no concern with the Overman so far the supply of tubs is concerned. Similarly WW-3 Sri Manjlu Sah has stated in his evidence that in this colliery tubs are supplied by Munshi Babu and not by Overman. Regulation 43 of the Coal Mines Regulations 1955 laid down the duties and responsibilities of 'Overman' and it does not stipulate that it is the duty of 'Overman' to supply empty tubs. Therefore, there was no occasion for the concerned workman Sri Kedar Pandey to demand empty tubs from the Overman.

11. According to MW-2 Sri G. J. Bhalsore, the Overman, the occurrence took place in the 7th level. WW-3 Sri Manglu Sah has stated in his evidence that on 1st January 1968 he was in the night shift and that he knew the concerned workman Sri Kedar Pandey and he was working in the same place where the concerned workman was working and that on that date the concerned workman Sri Kedar Pandey had no quarrel with the Overman Sri G. J. Bhalsore.

12. On behalf of the management two witnesses were examined before the enquiring officer viz. Sri Ishwar Rabidas and Bhima Bhuian. They are said to be eye witnesses of the entire occurrence. According to WW-3 Sri Manglu Sah they were working in the 10th level and as such it was not possible for Bhalsore's witnesses viz. Sri Ishwar Rabidas and Bhima Bhuian to be eye witness of the occurrence. It was also submitted before me that the charge of dragging from the 4th dip to 8th dip is improbable on the very face of it and shows that it is false and fabricated. Therefore, the charge levelled against the concerned workman Sri Kedar Pandey of dragging Sri G. J. Bhalsore from 4th dip to 8th dip appears to be mala fide.

13. According to the Union the management did not hold any enquiry and that the papers filed by the management in connection with the enquiry report are all false and fabricated. Ext. M-2 and M-4 are notice of enquiry. The concerned workman Sri Kedar Pandey by the aforesaid notices Ext. M-2 and M-4 was informed that the enquiry will be held by the Welfare Officer in the Ena Colliery office on 9th March 1968 at 11 a.m. The concerned workman Sri Kedar Pandey addressed a letter to the Manager on 6th March 1968 which was received by the Manager on 7th March 1968 vide Ext. W-15. In this letter he had written that he was working in Rise Area Colliery and that he was asked to appear in the departmental enquiry in another colliery and therefore, the concerned workman Sri Kedar Pandey requested that the enquiry be held at the Bhuggatdih Rise Area Colliery instead of Ena Colliery. No reply appears to have been sent by the Manager to the workman. According to the Union the Manager assented to the proposal of the concerned workman and agreed to hold the enquiry at Rise Area Colliery and informed that the concerned workman will be intimated the date of enquiry later on. According to the Union the management did not inform to the concerned workman the date of the enquiry which was going to be held at Bhuggatdih Rise Area Colliery and therefore, it was not possible for the concerned workman to be present at the enquiry. MW-1 is Sri B. Shukla, the Welfare Officer of Bhuggatdih Rise Area Colliery, who conducted the enquiry. He has also not stated in the evidence that when the venue of the enquiry was changed from Ena to Bhuggatdih Rise Area Colliery he issue a fresh notice to the concerned workman intimating him the date and time of the enquiry. WW-2 Sri Kedar Pandey, the concerned workman has also stated in his evidence that the manager after receipt of the letter (Ext. W-15) told him that he will reply to this letter suitably later on but he was not informed as to where the enquiry will be held and on which date. The enquiry admittedly was not held at Ena Colliery. The workman was entitled to know as to when the enquiry at Bhuggatdih Rise Area Colliery was going to be held. No fresh notice of enquiry was issued intimating the date and place of enquiry. The concerned workman was rightly entitled to get a reply to this letter dated 6th March 1968 (Ext. W-15) but he received none. There is some substance in the assertion of the concerned workman Sri Kedar Pandey that he had no knowledge that the enquiry was going to be held on 9th March 1968 at Bhuggatdih Rise Area Colliery.

14. The departmental enquiry was held on 9th March 1968 at 10 A.M. by Sri B. Shukla, the Welfare Officer. In the enquiry report he has stated that he saw personally Sri Kedar Pandey moving in front of the office but he did not attend the enquiry. In the evidence he has stated that during the enquiry proceeding he saw the concerned workman Sri Kedar Pandey moving around the verandah of the colliery office at about 9.30 A.M. According to the concerned workman on 9th March 1968 he remained inside the mine till 10 A.M. Ext. W-4 is the form B (Wages register) showing the concerned workman's attendance on 8th March and payment of full wages on that date vide entry No. 103. Ext. W-5 is the form C register. Entry No. 38 shows the time of going underground and coming out of the mine of the concerned workman. It shows that on 8th March 1968 he worked in the 3rd shift and went underground on that date at 2 A.M. and came out of the mine at 10 A.M. i.e. on 9th March 1968 he was underground from 2 A.M. till 10 A.M. These are the statutory registers maintained under section 48(3) of the Mines Act read with Rule 78 of the Mines Rules 1955. The entry in these two registers (Ext. W-4 and W-5) shows that the concerned workman was

working underground at the time of the alleged enquiry. The managements own registers show that at the time of the enquiry the concerned workman was underground and therefore, it was not possible for him to attend the enquiry.

15. Therefore, the evidence discussed above goes to show that the concerned workman Sri Kedar Pandey did not deliberately and intentionally and without any reasonable ground absented himself. On the other hand the evidence adduced goes to show that the enquiry report was manufactured by the management.

16. The case of the Union is that the management was indulging in unfair labour practice and the Union was protesting against the illegal action of the management and therefore the management has victimised the concerned workman who was an active member of the Union. Ext. W-2 is the letter issued by the Secretary, Khan Mazdoor Congress to the Regional Labour Commissioner complaining against illegal action of the Bhuggatdih Rise Area Colliery. Ext. W-13 is another letter addressed by the Secretary, Khan Mazdoor Congress to the Regional Labour Commissioner complaining against victimisation of the members of the Union. Ext. W-10 shows that Sri Kedar Pandey was member of this Union in the year 1967-68.

17. This Tribunal can therefore, interfere if the conduct of the management shows lack of *bona fides* or victimisation of the employee or unfair labour practice. The departmental enquiry held by the management was not fair. Under such circumstances the Tribunal is entitled to deal with the merits of the dispute as to the dismissal of the concerned employee.

18. In this view of the case I hold that the action of the management of Bhuggatdih Rise Area Colliery in dismissing Sri Kedar Pandey, miner with effect from the 14th of May 1968 was not justified. He is therefore entitled to be reinstated with full back wages from the date of his dismissal upto the date of his re-instatement along with continuity of service. This is my award. It may be submitted to the Central Government under section 15 of the Industrial Disputes Act, 1947.

(Sd.) SACHIDANAND SINHA,
Presiding Officer.

[No. 2/166/68-LRIL]

New Delhi, the 7th June 1969

S.O. 2306.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the management of Messrs Minerals Mining Company Private Limited, Raya'acheruvu in Konacalcite Mines, Konuppalapadu Village Tadipatri Taluk and their workmen, which was received by the Central Government on the 29th May, 1969.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD.

PRESENT:

Sri Mohammad Najmuddin, M.A., B.L., Chairman, Industrial Tribunal,
Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE No. 11 of 1969

BEFORE:

The Workmen of M/s. Minerals Mining Company Private Limited, Rayalacheruvu in Konacalcite Mine, Konuppalapadu Village, Tadipatri Taluk.

AND

The Management of M/s. Minerals Mining Company Private Limited, Rayalacheruvu in Konacalcite Mine, Konuppalapadu Village, Tadipatri Taluk.

APPEARANCES:

Sri Annam Chinna Naganna—for the workmen.

Sri C. Venkatachari—for the management.

AWARD

The Government of India in its Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) had, by order No. 36/28/68-LRI dated 24th April, 1969, referred this dispute to me for adjudication. The issue as per Schedule annexed to the above order is this:

Whether the demand of the workmen employed in Kona Calcite Mine of M/s. Minerals Mining Company Private Limited, Rayalacheruvu, for revision of wages in accordance with the wages recommended by the Central Wage Board for lime-stone and Dolomite Mining Industries is justified? If so, to what relief are the workers entitled?

2. The employer company is party to the reference. Any particular Trade Union is not by name party to the reference. One Annam Chinna Naganna is party to the reference. He represents the workers on whose behalf the claim in the issue is made. After the reference was registered as Industrial Dispute No. 11 of 1969, notice was given to Annam Chinna Naganna calling upon him to file statement of claims. The date for filing the same is this day the 24th of May, 1969. He appeared in person. Mr. C. Venkatachari who is the officer in charge of the Employer Mines is also present. Both Annam Chinna Naganna and Mr. Venkatachari filed a memorandum of settlement dated this date. That settlement is under Section 18(1) of the Industrial Disputes Act. It bears the thumb impression of Annam Chinna Naganna and the signature of Mr. C. Venkatachari. The workers representative Annam Chinna Naganna admitted before me that the matter had been settled as set out in the Memorandum of Settlement and that the thumb impression on the document was his. This agreement was entered into in the presence of two witnesses who attested it. They are C. Gopalan and C. S. Raghu. The former is Instructor in the Vocational Training Centre in the Singareni Collieries and the latter is Surveyor employed in the said Collieries.

3. It is stated in clauses 2 and 3 that the employer had paid to the workers Rs. 6,708/- and that the said payment had fully met the demands of the workers. It is stated in clause 4 that the workers do not have any further claim against the employer beyond the amount referred to above. I am satisfied that the settlement is fair and equitable between the parties.

4. Award is herewith passed in terms of the Memorandum of Settlement dated 24th May, 1969 a copy whereof is appended hereto.

Given under my hand and the seal of the Tribunal this the 24th day of May, 1969.

(Sd.) M. NAMUDDIN,
Industrial Tribunal.

BEFORE THE INDUSTRIAL TRIBUNAL, (CENTRAL) AT HYDERABAD

Memorandum of settlement under Section 18(1) of the Industrial Disputes Act entered into between the Parties at Hyderabad on 24th May, 1969.

INDUSTRIAL DISPUTE No. 11 OF 1969

Employers in relation to Mineral Mining Co., Pvt., Ltd., Rayalcherru Tadpatri Taluk, Anantapur District in respect of Konacalcite situated in Konupalapadu Village, Tadpatri Tq.

AND

Their Workmen (Sri Annam Chinna Naganna for himself and representing all the Workers).

Joint Petition of Compromise settlement

The undersigned Petitioners beg to state that the above dispute between Sri Annam Chinna Naganna (for himself and representing other workers) and the Mineral Mining Co., Pvt., Ltd., has been amicably settled on the terms given below:—

- (1) That Sri Annam Chinna Naganna (himself and representing other Workmen) and other workers are no more in employment of the above cited company and therefore not interested in their service. They are also not interested in putting forward the claims which is the subject matter under issue in the reference.

(2) That the employer has previously paid a total sum of Rs. 6,708/- (~~Rupees Six thousand Seven hundred and Eight only~~) to the workers in full settlement of all their claims against the employers above named.

(3) That Sri Annam Chinna Naganna for himself and the other workers having received the said amount of Rs. 6,708/- (~~Rupees Six Thousand Seven Hundred and Eight only~~) their disputes having got fully resolved and he no longer wants to pursue the case before the Hon'ble Tribunal.

(4) That the amount paid as stated in clause 3 would meet the claims of the claimants, and any claim beyond that is not made.

The petitioners therefore pray that the Hon'ble Tribunal may be pleased to dispose of the reference in terms of the above settlement and pass the Award accordingly.

And for this the Petitioners shall ever pray.
for Workmen.

for Employers

For Mineral Mining Co., Pvt. Ltd.

(Sd.) Illegible.

L.T.I. of ANNAM CHINNA NAGANNA,

Worker concerned in the
reference and representing
all the workers.

(Sd) MOHAMMAD NAJMUDDIN,

Presiding Officer,

Industrial Tribunal (Central) at
Hyderabad.
Hyderabad.

Witness

(1) (Sd.) C. GOPALAN,

Instructor, Mines Vocational Training
Centre,

Godavari Khari Karim Nagar Distt.,
On leave at Hyderabad—24-5-69.

(2) (Sd) C. S. RAGHU,

Surveyor, 7, Incline, Godavari Khari,
Karim Nagar Distt., on leave at
Hyderabad.

[No. 36(28)/68-LRI]

ORDERS

New Delhi, the 2nd June 1969

S.O. 2307.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Shri Premraj Gundhat, Contractor, Kokan Mines of Bhilai Steel Plant, Bhilai and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-Section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Jabalpur constituted under section 7A of the said Act

SCHEDULE

Whether the action of Shri Premraj Gundhat Contractor, Kokan Mines of Bhilai Steel Plant, Bhilai in refusing employment to the workmen employed by him with effect from the 23rd March, 1968, was justified? If no, to what relief are the workmen entitled?

[No. 37/8/69-LRI.]

New Delhi, the 6th June 1969

S O 2308.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of Ghugus Colliery of Messrs. Ballapur Collieries Company, Post Office Manickpur District Chanda (Maharashtra) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri G. V. Dev, as Presiding Officer with headquarters at Nagpur, and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

Whether having regard to the financial capacity of the Ghugus Colliery of Messrs Ballarpur Collieries Company, Post Office Manickpur, District Chanda, the action of the management—

- (i) in not paying the arrears of wages for the period from 15th August, 1967 to 31st March, 1968;
 - (ii) in not paying variable dearness allowance with effect from the 1st April, 1968, and
 - (iii) in not granting graded annual increments from the 15th August, 1968; as per recommendations of the Wage Board for Coal Mining Industry is justified? If not—
- (i) what should be the quantum of variable dearness allowance in this colliery?
 - (ii) to what other relief, if any, are the workmen entitled?

[No. 1/64/68-LRII.]

S.O. 2309.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of Hindustan Lalpeth Colliery, Post Office, Chandrapur, District Chandrapur and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri G. V. Dev, as Presiding Officer with headquarters at Nagpur, and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

“Whether, having regard to the financial capacity of the Hindustan Lalpeth Colliery, Post Office Chandrapur, District Chandrapur, the action of the management—

- (i) in not paying the arrears of wages for the period from 15th August, 1967 to 27th January, 1968;
 - (ii) in not paying the variable dearness allowance with effect from the 1st April, 1968; and
 - (iii) in not granting graded annual increments from the 15th August, 1968; as per recommendations of the Wage Board for Coal Mining Industry is justified? If not—
- (i) what should be the quantum of variable dearness allowance in this colliery?
 - (ii) to what reliefs if any, are the workmen entitled?”

[No. 1/65/68-LRII.]

S.O. 2310.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Shampur Badjna Colliery of Messrs D. Mondal and Company, Post Office Nirshachati, Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 3), Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

- (a) Whether Shri Fulu Ram, Driver as the workman of Shampur Badjna Colliery; and
- (b) Whether the action of the management of Shampur Badjna Colliery in stopping Shri Falu Ram, Driver was justified; if not, to what relief is the workman entitled?

[No. 2/72/69-LRII.]

S.O. 2311.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Sripur Seam Incline Colliery, Messrs Lodna Colliery Company (1920) Limited, Post Office Kallpahari, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

“Whether the retirement of Sri Kamal Mitra, Loading Clerk from the 15th December, 1968, by the management of Sripur Seam Incline Colliery of Messrs Lodna Colliery Company (1920) Limited, Post Office Kallpahari, District Burdwan, is justified? If not, to what relief is the workman entitled?”

[No. 6/13/69-LRII.]

P. C. MISRA, Under Secy.

(Department of Labour and Employment)

New Delhi, the 5th June 1969

S.O. 2312.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following further amendment in the Vizagapatam Dock Workers (Regulation of Employment) Scheme, 1959, the same having been previously published as required by the said sub-section, namely:—

1. This Scheme may be called the Vizagapatam Dock Workers (Regulation of Employment) Second Amendment Scheme, 1969.

2. In clause 11 of the Vizagapatam Dock Workers (Regulation of Employment) Scheme, 1959, in item (g), for the proviso the following proviso shall be substituted namely:—

“Provided that the creation of posts the maximum salary of which exclusive of allowances is upto Rupees three hundred per month and appointment of persons to such posts shall be subject to clauses 8(1) and 9(1)(j);”

[No. 36/15/68-Fac. II.]

S.O. 2313.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948, the Central Government hereby makes the following further amendment in the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, the same having been previously published as required by the sub-section, namely:—

1. This Scheme may be called the Madras Unregistered Dock Workers (Regulation of Employment) (First) Amendment Scheme, 1969.

2. In the Schedule to the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, after item (7), the following item shall be inserted, namely:—

"8 Labour employed to work as machine mazdoors and tank sweepers."

[No. 62/3/68-Fac. II.]

ORDERS

New Delhi, the 4th June 1969

S.O. 2314.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Management of K. P. Gorosla Stevedores Ship Chandlers and Clearing Agent, Calcutta, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the following demands of the Delivery Clerks working under M/s. Keshavlal P. Gorosia, Stevedores, 24, Strand Road, Calcutta are justified?

- (i) Permanency in employment,
 - (ii) Leave ... Casual and Privilege, and
 - (iii) Holidays — Weekly and festival
- If so, to what extent and from which date?

[No. 28/13/68-LR. III.]

New Delhi, the 5th June 1969

S.O. 2315.—Whereas the Central Government is of opinion that in industrial dispute exists between the employers in relation to Messrs. Baney Madhub Mookerjee and Company, Calcutta and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Messrs Baney Madhub Mookerjee and Company, Calcutta, in terminating the services of the four monthly Tally Clerks, Sri N. Chatterjee, Sri J. K. Paul, Sri P. B. Bose and Sri A. L. Karmakar, with effect from the 30th November, 1968, was justified?

If not to what relief are the workmen entitled?

[No. 28/22/69-LWI. III.]

S.O. 2316.—Whereas the employers in relation to the (i) Master Stevedores' Association and the (ii) Calcutta Stevedores' Association and their workmen represented by the National Union of Waterfront Workers and the Calcutta Dock Workers' Union, have jointly applied to the Central Government for reference of an industrial dispute that exists between them to an Industrial Tribunal in respect of the matters set forth in the said application and reproduced in the Schedule hereto annexed;

And, whereas, the Central Government is satisfied that the persons applying represent the majority of each party.

Now, therefore in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

SCHEDULE

- (1) Whether the demand of the unions for uniform rates of wages including interim recommendations of the Central Wage Board for Port and Dock Workers, in respect of the following categories of workmen is justified?

If so, to what rate of minimum wages they are entitled and from what date?

- (i) Cleaning Gang Workers;
- (ii) Markmen;
- (iii) Carpenters;
- (iv) Riggers;
- (v) Gunnymen; and
- (vi) Gearmen.

- (2) Whether Riggers, Cleaning Gang workers, Markmen and Carpenters, Gunnymen and Gearmen are entitled to bonus under the Payment of Bonus Act,

and if so, from what date and at what rates?

[No. 28/67/68-LR. III.]
C. RAMDAS, Under Secy.

MINISTRY OF FINANCE

(Department of Revenue and Insurance)

New Delhi, the 27th May 1969

S.O. 2317.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government appointed Shri R. S. Jawa who is a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act with effect from 3rd August, 1968.

[No. 44/F. No. 16/104/69-ITCC.]
R. D. SAXENA, Dy. Secy.

(Department of Revenue and Insurance)

New Delhi, the 14th June, 1969

CUSTOMS

S.O. 2318.—In exercise of the powers conferred by section 6 of the Customs Act, 1962 (52 of 1962), and in supersession of Central Board of Revenue notification No. 10/Land Customs, dated 22nd September, 1962, the Central Government hereby entrusts to the officers of and above the rank of head constables in charge of the Intelligence Bureau checkposts in the areas adjoining the foreign frontier separating Tibet from India in the States of Jammu and Kashmir, Punjab, Uttar Pradesh, NEFA and Himachal Pradesh the functions of an officer of Customs under sections 100, 102, 106 and 110 of the said Act.

[No. 80/F.No. 85/17/68-LCI.]
M. S. SUBRAMANYAM, Under Secy

दिल्ल मंत्रालय

(राजस्व और बोमा विभाग)

सीमा-शुल्क

नई दिल्ली, 14 जून 1969

एस० ओ० 2319 .—सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और केन्द्रीय राजस्व बोर्ड की अधिसूचना सं० 10/भू-

सीमा-शुल्क, तारीख 22-9-1962 को अतिष्ठित करत हुए, केन्द्रीय सरकार, विदेशी सीमा से जो जम्मू और कश्मीर, पंजाब, उत्तर प्रदेश, नेफा तथा हिमाचल प्रदेश राज्यों में भारत से तिब्बत को पृथक करती है, लगे हुए क्षेत्रों में गुप्त वार्ता व्यूरो की पड़ताल चौकियों के भारसाधक ऐसे आफिसरों को जो हंडकास्टेबल के या उससे ऊपर के रैंक के हों उक्त अधिनियम की धाराओं 100, 102, 106 और 110 के अधीन के सीमा-शुल्क आफिसर के कृत्य एतद्द्वारा न्यस्त करती है।

[अधिसूचना सं० 80/सं० फा० 85/17/68-भू० सी० शु०]

म० सं० सुब्रह्मानियम, अवर सचिव।

(Department of Revenue and Insurance)

ORDER

New Delhi, the 6th June 1969

S.O. 2320.—In exercise of the powers conferred by sub-section (10) of section 6A of the Insurance Act, 1938 (4 of 1938), the Central Government hereby exempts the Indian Guarantee and General Insurance Company Limited, Bombay, from the operation of sub-section (6) of that section in respect of the paid-up holding of that Company in the shares of Jupiter General Insurance Company Limited, Bombay.

[No. F. 51(9)-INS.I/69.]

RAJ K. NIGAM, Dy. Secy.

(राजस्व और बीमा विभाग)

आदेश

नई दिल्ली, 6 जून, 1969

एस० ओ० 2321.—बीमा अधिनियम, 1938 (1938 का 4) की धारा 6-क की उप-धारा (10) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इण्डियन गारन्टी एण्ड जनरल इन्श्योरेन्स कम्पनी लिमिटेड, बम्बई को, उस कम्पनी की जुपिटर जनरल इन्श्योरेन्स कम्पनी लिमिटेड, बम्बई के शेयरों में समादत्त पूंजी की बाबत, उस धारा की उप-धारा (6) के प्रवर्तन से एतद्द्वारा छूट देती है।

[सं० फा० 51/(9)-बीमा-I/69.]

राज के० निगम, उप-सचिव।

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE

CUSTOMS

Madras, the 3rd April 1969

S.O. 2322.—In exercise of the powers conferred by Sub-Section 34 of Section 2 of the Customs Act, 1962 (52 of 1962), the Collector of Central Excise, Madras having been appointed as Collector of Customs within the jurisdiction of the Madras Central Excise Collectorate hereby, assigns the functions of the "Proper Officer" referred to in Section 11-M of the same Act to all officers of Customs of and above the rank of Inspectors of Central Excise, who are for the time being posted in the Collectorate of Central Excise, Madras.

[C. No. VIII/1/1/69 Cus.]

A. R. SHANMUGAM, Collector.

**OFFICE OF THE ASSISTANT COLLECTOR OF CUSTOMS AND CENTRAL
EXCISE**

SHOW CAUSE NOTICE

Lucknow, the 3rd June 1969

TO WHOM IT MAY CONCERN

S.O. 2323.—Whereas the goods referred to in the allegation enumerated in the enclosed Annexure appears to be liable to confiscation under section III of the Customs Act, 1962.

And whereas the owner concerned in view of the allegation contained in the said Annexure appears to be liable to penalty under section 112(b) of the Customs Act, 1962.

Now, therefore, the owner concerned is hereby required to show cause to the Assistant Collector of Central Excise, Lucknow in writing within one month of the date of issue of this notice why the seized goods should not be confiscated under section III(d) read with section 123 of the Customs Act, 1962 and under section II(c) and (d) of the Custom (Amdt.) Ordinance, 1969, and why he should not be penalized under section 112(b) of the same Act.

The owner concerned should produce at the time of showing cause all evidence upon which he intends to rely in support of his defence. He should also indicate in the written explanation whether he does not wish to be heard in person before the case is adjudicated.

If no cause is shown against the action proposed to be taken within one month of the issue of this notice or the owner concerned does not appear before the adjudicating Officer when the case is posted for hearing, the case will be decided *ex-parte* on its merits.

ANNEXURE

On receipt of an information, the provincial Excise Inspector, Barabanki on 5th April, 1969, recovered from one steel trunk goods of foreign origin *viz.* 169 reels of radiant yarn, 120 Pks. of Wilkinson Blades, one transistor and 25 sarees total valued at Rs. 5,600. There was no claimant of these goods. The Provincial Excise Inspector deposited then in the G.R.P. Malkhana, Barabanki and informed the Central Excise Inspector, Barabanki. The Central Excise Officers seized the above mentioned goods on 14th April, 1969, in the reasonable belief that they have been brought into India in contravention of Section, III(d) and 135 of the Customs Act, 1962 and Import Trade Regulations.

The import of the seized goods is prohibited (except under a licence) under Section 3 of the Import and Export (Control) Act, 1947, as read with clause 3 of the Import (Control) orders, 1955.

The aforesaid prohibition has been in force for a large number of years and the policy of issuing licences has been extremely restricted.

The seized goods are dutiable also.

[C. No. 258-VIII(Cus)(15)Seiz/69.]

B. K. DOSHI, Asstt. Collector.

COLLECTORATE OF CUSTOMS & CENTRAL EXCISE

(Central Excise Wing)

NOTIFICATION (AMENDMENT)

CENTRAL EXCISE

Cochin, the 20th May 1969

S.O. 2324.—In exercise of the powers conferred on me under Rule 173G(4) of the C.E. Rules, 1944, I hereby make the following amendments in this Collectorate's Notification No. 3/69, dated 21st April, 1969.

- (1) In Column (4) against S.No. 11 of the STATEMENT (Synthetic Organic Dye Stuffs) for the words "will be notified later" the words "The Parent dye from which the finished dyes are manufactured" shall be substituted.
- (2) In Column (4) against S.No. 15, of the STATEMENT (soap) the existing entries shall be deleted, and the following substituted "V.N.E. Oil or other fats including resin, and/or soap stock."

- (3) In Column 4, against S.No. 16 of the STATEMENT (Artificial or Synthetic resins and plastic materials and articles thereof) the words "will be notified later" shall be deleted and the following words substituted, "phenol and Formaldehyde".

(Issued from File IV/16/174368 Cx. I).

[No. 4/69.]

(Sd.) S. VENKATARAMAN, Collector.

MINISTRY OF INDUSTRIAL DEVELOPMENT, INTERNAL TRADE AND COMPANY AFFAIRS

(Department of Industrial Development)

ORDER

New Delhi, the 4th June 1969

S.O. 2325.—In exercise of the power conferred by Section 25 of the Industries (Development & Regulation) Act, 1951 (65 of 1951), the Central Government hereby directs that power conferred on it by Section 18G of the said Act shall in relation to sale and disposal of the Jute Mill Machinery (covered by item 8 of the first Schedule of the Act) used for the manufacture of Jute textiles (including those dyed printed or otherwise processed) made wholly or in part of jute including jute twine and rope shall be exercisable by the Jute Commissioner to the Government of India also.

[No. F. 2-12/67-MEI.]

N. SIVARAMAN, Under Secy.

(Department of Industrial Development)

(Indian Standards Institution)

New Delhi, the 29th May 1969

S.O. 2326.—In pursuance of sub-rule (2) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 as amended from time to time it is hereby, notified that the standard marks for enamelled round copper wires, relating to IS:1595—1967 Specification for enamelled round copper wire with high mechanical properties (*first revision*) and IS:2659:1964 Specification for enamelled round copper wire for elevated temperatures, details of which were published in the Gazette of India, Part II, Section 3 (ii) dated 4 February 1961 and 22 June 1968 under number S.O. 279 dated 24 January 1961 and S.O. 2178 dated 6 June 1968 respectively, have been rescinded with effect from 1 May 1969.

[No. CMD/13:9]


S.O. 2327.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955 the Indian Standards Institution hereby notifies that the Standard Mark(s), design(s) of which together with the verbal description of the design(s) and the title(s) of the relevant Indian Standard(s) are given in the Schedule hereto annexed, have been specified.

These Standard Mark(s) for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from the dates shown against each :

THE SCHEDULE

S. No.	design of the Standard Mark	Product/ class of product	No. and title of the Relevant Indian Standard	Verbal disciplin of the Design of the Standard Mark	Date of Effect
(1)	(2)	(3)	(4)	(5)	(6)
1	IS:3967	Cutch	IS:3967-1967 Specification for cutch	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1 June 1969



(1)	(2)	(3)	(4)	(5)	(6)
2	IS:4800	Enamelled round winding wires	IS:4800 (Parts IV & V)-1968 Specification for enamelled round winding wires.	The monogram of the Indian Standards Institution, consisting of letters 'ISI', drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being super-scribed on the top side of the monogram as indicated in the design.	1 May 1969
					

[No. CMD/13:9]

S.O. 2328.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standard Institution Certification Marks Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fees per unit for various products—details of which are given in the Schedule hereto annexed, have been determined and the fee(s) shall come into force with effect from the dates shown against each.

THE SCHEDULE

Sl. No.	Product/Class of Products	No. and Title of Relevant Indian Standard	Unit	Marking fee per Unit	Date of Effect
(1)	(2)	(3)	(4)	(5)	(6)
1	Cutch	IS:3967-1967 Specification for cutch.	One tonne	Rs. 2.50	1 June 1969
2	Enamelled round winding wires	IS:4800(Parts IV & V)-1968 Specification for enamelled round winding wires	One tonne	(i) Rs. 10.00 for the first 250 units, (ii) Rs. 5.00 for the next 500 units and (iii) Rs. 2.00 for the 75 1st unit and above.	1 May 1969

[No. CMD/13:10]

S.O. 2329.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standard Institution (Certification Marks) Regulations, 1955, as amended from time to time the Indian Standards Institution hereby notifies that licence No. CM/L-1826, particulars of which are given below, has been cancelled with effect from 20 May 1969.

Licence No.	Name & Address of the licensee	Article/Process Covered by the Licence	Relevant Indian Standard
CM/L-1826 Dated 6 November 1968	Dr. Sarup's Pest Control Private Ltd., 2/4 Central Park, Jadavpur, Calcutta-32 having their Office at 216/2-A Lower Circular Road, Calcutta-17.	gamma BHC Lindane Smoke Generators	IS:1505-1968

[No. CMD/55:1826]

E. S. KRISHNAMACHAR,
Acting Director General.

(Department of Industrial Development)

Indian Standards Institutions

New Delhi, the 2nd June 1969

S. O. 2330.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed, have been established during the period 1 to 31 May 1969 :

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
1	SP:1-1967 Comparison of Indian and Overseas Standards on aluminium alloy castings.	..	This publication compares aluminium alloy castings as specified in IS:617-1959* with those specified in the American, Australian, Austrian, Belgian, British, Canadian, Czechoslovakian, Danish, French, German, Italian, Japanese, Korean, Netherlands, Polish, Russian, South African, Spanish, Swedish, Swiss, Yugoslavian and Inter-national standards. (Price Rs. 8.00)
2	IS:326-1968 Methods of sampling and test for natural and synthetic perfumery materials (<i>first revision</i>)	IS:326-1952 Methods of test for essential oils	This standard prescribes the methods of sampling and test for natural and synthetic perfumery materials. It also covers special tests for the detection of common impurities adulterants in natural and synthetic perfumery materials. Brief outlines of the more important modern techniques of instrumental analysis for perfumery materials such as infra-red and ultra-violet spectroscopy, gas and thinlayer chromatography, have also been included (Price Rs. 12.50)
3	IS:446-1968 Specification for air hose of rubber with woven textile reinforcement (<i>second revision</i>)	(i) IS:446-1964 Specification for air hose of rubber, light duty with woven reinforcement (<i>revision</i>) and (ii) IS:3557-1965 Specification for air hose of rubber, heavy duty, with woven reinforcement	This standard prescribes the requirements and methods of sampling and test for air hose of rubber with woven textile reinforcement and built on mandrels (Price Rs. 3.50)
4	IS:960-1969 Specification for bicycles rim tapes and buckles (<i>first revision</i>)	IS:960-1958 Specification for bicycle rim tapes and buckles	This standard covers the requirements for cotton rim tapes and buckles (Price Rs. 2.50)

*Aluminium and aluminium alloy ingots and castings for general engineering purposes (*revised*).

(1)	(2)	(3)	(4)
5	IS:1131-1968 to IS:1134-1968 Specifications for bicycle bottom bracket assembly components (axle, adjustable ball cup, fixed ball cup, and lock ring) (<i>first revision</i>)	IS:1131 to IS:1134-1958 Specifications for bicycle bottom bracket assembly components (axle, adjustable cup, fixed cup, and locking nut)	These standards cover the requirements for bicycle bottom bracket axle, adjustable ball cup, ball cup and lock rings. (Price Rs. 6.00)
6	IS:4032-1968 Method of chemical analysis of hydraulic cement.	..	This standard gives the procedure for the chemical analysis of the following types of cements : (a) Ordinary, rapid-hardening and low-heat Portland cement ; (b) Portland blast furnace slag cement ; and (c) Portland pozzolana cement (Price Rs. 9.00)
7	IS:4410 (Part VII)-1968 Glossary of terms relating to river valley projects	..	This standard contains definitions of terms commonly used by engineering geologists and civil engineers. (Price Rs. 5.50)
Part VII engineering geology			
8	IS:4410 (Part IX)-1968 Glossary of terms relating to river valley projects.	..	This standard contains definition of terms relating to types design and parts of spillways and siphons (Price Rs. 6.00)
Part IX spillways and siphons			
9	IS:4472 (Part II)-1968 Method for identification of application classes of dyes on textile materials	..	This standard prescribes method for identification of application classes of dyestuff on wool, silk and other protein fibres (Price Rs. 2.50)
Part II wool, silk and other protein fibres			
10	IS:4807-1968 Methods of testing viscose rayon staple fibres	..	This standard prescribes methods for determining the various characteristics of viscose rayon staple fibres. (Price Rs. 4.00)
11	IS:4874-1968 Specification for edible cottonseed flour (expeller pressed)	..	This standard prescribes the requirements and the methods of sampling and test for edible cottonseed flour obtained from cottonseeds by the expeller process (Price Rs. 4.00)
12	IS:4880 (Part III)-1968 Code of practice for design of tunnels conveying water	..	This standard covers the hydraulic design of tunnels conveying water. This does not however cover the hydraulic design of other tunnel structures (Price Rs. 5.50)
Part III hydraulic design.			
13	IS:4891-1968 Specification for preferred cut sizes of structural timbers	..	This standard covers preferred standard cut sizes of timber for use in the following structural components : (a) Roof trusses ; (b) Roof purlins, rafters, floor beams, etc ; (c) Partition framing, covering ; and (d) Centering. (Price Rs. 2.00)

(1)	(2)	(3)	(4)
14 IS:4894-1968 Specification for centrifugal fans	..	This standard covers the performance requirements and tests of centrifugal fans having impellers directly coupled to ac electric motors. (Price Rs. 8.00)	
15 IS:4904-1968 Specification for reference block for calibration of ultrasonic flaw detectors	..	This standard describes the material, dimensions, manufacture and method of use of a reference block by means of which ultrasonic flaw detectors with their probe systems may be assessed and calibrated for the examination of materials of the same general standard. (Price Rs. 5.00)	
16 IS:4910 (Part II)-1968 Method of test for tyre yarns, cords and tyre cord fabrics made from man-made fibres	..	This standard prescribes a method for determination of breaking load, elongation at break and tenacity of man-made fibre tyre yarns and cords taken from cheeses, cones, bobbins, spools, hanks, or tyre-cords fabrics. (Price Rs. 2.50)	
Part II breaking load, elongation at break and tenacity			
17 IS: 4923-1968 Specification for hollow mild steel sections for structural use	..	This standard covers the requirements for hot and cold formed square and rectangular hollow mild steel sections for structural use. (Price Rs. 4.00)	
18 IS: 4927-1968 Specification for unlined flax canvas hose for fire fighting	..	This standard lays down the requirements of material used in the manufacture and performance criteria of unlined flax canvas hose (Price Rs. 4.00)	
19 IS:4929-1968 Specification for dichlorvos, technical	..	This standard prescribes the requirements and the method of test for dichlorvos technical employed in the preparation of pesticidal formulations. (Price Rs. 5.50)	
20 IS:4931-1968 Specification for power take-off shafts of agricultural tractors	..	This standard specifies the essential dimensions, location and operating requirements for the power take-off shafts of agricultural tractors (wheeled and crawler) up to 45 hp at the power take-off and the driven machines. It covers only 540 rev/min shaft having the nominal diameter of 35 mm. (Price Rs. 3.50)	
21 IS:4939-1968 Methods of test for products derived from fruits and vegetables	..	This standard prescribes the additional methods of test for processed fruits and vegetables. (Price Rs. 3.50)	

(1)	(2)	(3)	(4)
22	IS:4956-1968 Specification for synthetic detergents for industrial purposes	..	This standard prescribes the requirements and methods of sampling and test for synthetic anionic detergents for industrial purposes based predominantly on the use of alkyl aryl sulphonates. (Price Rs. 6.50)
23	IS:4959-1968 Specification for respiratory nasal, Howarth's	..	This standard covers the requirements of Howarth's nasal respiratory (Price Rs. 2.00)
24	IS:4961-1968 Determination of particle size of powders by air elutriation methods	..	This standard covers three methods of air elutriation for quantitative determination of particle size distribution in sub-sieve range. (Price Rs. 7.50)
25	IS:4973-1968 Specification for badminton woollen balls	..	This standard lays down material dimensional and manufacturing requirements of badminton woollen balls. (Price Rs. 2.00)
26	IS:4974-1968 Specification for grease nipples, small	..	This standard deals with the requirements of grease nipples having cylindrical thread for use in industrial plants, automobiles and general machinery. (Price Rs. 3.50)
27	IS:4976-1968 Specification for forceps, extraction, dental, upper anteriors, No. 1 and 2	..	This standard specifies the requirements for dental forceps No. 1 and 2 used for the extraction of upper anterior teeth. (Price Rs. 2.00)
28	IS:4977-1968 Specification for forceps, extraction, dental, lower molar, hawk's bill, No. 1	..	This standard specifies the requirements for dental forceps No. 1 of Hawk's bill pattern used for the extraction of lower molars. (Price Rs. 2.00)
29	IS:4979-1968 Specification for table-tennis table	..	This standard lays down requirements pertaining to material, dimensions and manufacture of table-tennis tables used for practice and for national and international competitions. (Price Rs. 2.50)
30	IS:4980-1968 Specification for clubs, Indian	..	This standard lays down requirements pertaining to material dimensions and manufacture of Indian clubs used for physical training. (Price Rs. 2.00)
31	IS:4999-1968 Recommendations for grouting of previous soils	..	This standard gives recommendations for grouting of previous soils for control of seepage (Price Rs. 8.00)
32	IS:5003-1968 Specification for cadmium oxide for electroplating	..	This standard prescribes the requirements and the methods of sampling and test for cadmium oxide used in electroplating. (Price Rs. 5.00)
33	IS:5004-1968 Specification for spoons, cutting dental No. 1/2, 3/4 and 5/6	..	This standard specifies the requirements of dental cutting spoons. No. 1/2, 3/4 and 5/6 (Price Rs. 2.00)

(1)	(2)	(3)	(4)
34	IS:5005-1968 Specification for burnisher, dental, No. brn 1/2	..	This standard specifies the requirements of dental burnisher No. brn 1/2. (Price Rs. 2.00)
35	IS:5006-1968 Specification for battery terminal pliers	..	This standard covers the requirements for battery terminal pliers. (Price Rs. 1.50)
36	IS:5009-1968 Specification for Buchner funnels	..	This standard prescribes the requirements and the methods of sampling and test for Buchner funnels made of porcelain and used for analytical purpose (Price Rs. 2.50)
37	IS:5010-1969 Specification for nylon fabric for heavy supply-dropping parachutes	..	This standard covers the requirements of nylon fabric for heavy supply-dropping parachutes. The fabric is used in the fabrication of large size parachutes used for supply dropping and with aerial delivery platforms for heavy dropping purposes (Price Rs. 2.50)
38	IS:5011-1968 Specification for Gooch crucibles	..	This standard prescribes the requirements and the methods of sampling and test for porcelain Gooch crucibles used for analytical purposes. This standard covers only porcelain Gooch crucibles. (Price Rs. 2.50)
39	IS:5012-1969 Specification for cellulose film	..	This standard prescribes the requirements and methods of sampling and test for commonly used cellulose film. (Price Rs. 2.50)
40	IS:5016-1968 Specification for safety-razor-holding device for artificial limbs	..	This standard specifies the requirements pertaining to material shape, dimensions, workmanship and finish for safety-razor-holding terminal device. (Price Rs. 2.00)
41	IS:5018-1968 Classification of hard coals by type	..	This standard prescribes classification of Indian coals by type. (Price Rs. 3.50)
42	IS:5020-1968 Specification for hematite pig iron	..	This standard covers the requirements for hematite pig iron. (Price Rs. 2.50)
43	IS:5021-1969 Specification for acid-resisting high-silicon pig iron	..	This standard covers the requirements for acid-resisting high-silicon pig iron. (Price Rs. 2.50)
44	IS:5024-1968 Specification for buffalo-butt leather for knee bushings	..	This standard prescribes the requirements, methods of sampling and test for butt leather processed from buffalo-hide and used for knee bushings in orthopaedic appliances. (Price Rs. 3.50)

(1)	(2)	(3)	(4)
45	IS:5025-1969 Specification for gum karaya	..	This standard prescribes the requirements and the methods of sampling and test for gum karaya. (Price Rs. 4'00)

These Indian standards are available for sale with the Indian Standards Institution, Menck Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-1 and also its branch offices at (i) 534, Sardar Vallabhbhai Patel Road, Bombay-7, (ii) 5 Chowringhee Approach Road, Calcutta-12, (iii) 47, General Patters Road, Madras-2, (iv) 117/418B, Sarvodaya Nagar, Kanpur and (v) 5-9-201/2, Chirag Ali Lane, Hyderabad-1.

[CMD/13 2]

S.O.2331.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards particulars of which are mentioned in the Schedule given hereafter have been cancelled with effect from 1st May 1969 :

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard cancelled	No. and Date of Gazette Notification in which Establishment of the Indian Standard was Notified
1	IS:1595-1967 Specification for enamelled round copper wire with high mechanical properties (<i>first revision</i>).	S.O. 3336 dated 5 September 1967 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 23 September, 1967.
2	IS:2659-1964 Specification for enamelled round copper wire for elevated temperatures.	S.O. 1152 dated 2 April 1965 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 10 April 1965.

[No. CMD/13 : 7]

CORRIGENDUM

New Delhi, the 3rd June 1969

S.O. 2332.—In partial modification of the Notification published under No. S.O. 4257, dated 18th October, 1968, in the Gazette of India, Part II, Section 3(ii) dated 30th November, 1968, it is hereby notified that the period of validity of licence No. CM/L-1823, referred to at Serial No. 22 of Columns 3 and 4 of the Schedule, shall be amended to read as under:

"16 January 1969 to 15 January 1970".

[No. CMD/13:11.]

DR. A. N. GHOSH,
Director-General.